

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Cameron Heights PUD, Large Scale Land Use Amendment from Suburban Estates (SE), Low Density Residential (LDR), Industrial, and Commercial to Planned Development (PD); and rezone from Agriculture (A-1), Industrial (M-1), Retail Commercial (C-1) and Retail Commercial (C-2) to Planned Unit Development (PUD); (Robert Zlatkiss, applicant).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Dan Matthys **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 05/10/05 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☒ **Public Hearing – 7:00** ☐

MOTION/RECOMMENDATION:

1. ADOPT an ordinance that includes the proposed map amendment from Suburban Estates (SE), Low Density Residential (LDR), Industrial, and Commercial to Planned Development (PD) ⁽¹⁾; and ADOPT an ordinance rezoning the property from Agriculture (A-1), Industrial (M-1), Retail Commercial (C-1) and Retail Commercial (C-2) to Planned Unit Development (PUD) (Robert Zlatkiss, applicant); or
2. DENY the requested Large Scale Land Use Amendment from Suburban Estates (SE), Low Density Residential (LDR), Industrial, and Commercial to Planned Development (PD); and DENY the rezone from Agriculture (A-1), Industrial (M-1), Retail Commercial (C-1) and Retail Commercial (C-2) to Planned Unit Development (PUD); (Robert Zlatkiss, applicant); or
3. CONTINUE the public hearing until a time and date certain.

⁽¹⁾ For the record: A motion to adopt a Comprehensive Plan amendment by ordinance will be enacted through a single ordinance presented to the Board as a separate agenda item following the conclusion of the Spring 2005 large scale amendment cycle. The ordinance will contain a listing of all the amendments adopted by the Board as part of the cycle.

(District 5 – Comm. Carey)

(Jeff Hopper, Senior Planner)

BACKGROUND:

[NOTE: Prior to adoption, the applicant is requesting an opportunity to submit new information and analysis that could justify revisions to the staff recommendations presented in this report. These revisions could relate to timing/phasing of development, intersection improvements, upgrading of existing County roads within the site, and other issues. The applicant did not submit any new information prior to the preparation of this report. Should

Reviewed by:	<u>KV2</u>
Co Atty:	<u></u>
DFS:	<u></u>
OTHER:	<u>MW</u>
DCM:	<u>AS</u>
CM:	<u>AS</u>
File No.	<u>ph130pdp02</u>

staff receive any revised information or analysis with sufficient time for review, an update will be provided at the time of the hearing.]

The applicant has assembled a collection of 26 parcels within an area bounded by SR 46 on the south, Celery Ave. on the north, SR 415 on the east, and Sipes Ave. on the west, for a proposed mixed use development consisting of commercial, industrial and residential uses. Consisting of approximately 261 acres, the proposed project would consist of single family and townhouse units, a retail commercial component equivalent to the C-1 zoning classification, and a "business park" which would include a mixture of office, light industrial, and commercial uses.

Although Cameron Heights would occupy less than half the land in the area bordered by the roads named above, it would touch all four rights of way, with the greatest amount of frontage, approximately 1,700', on Sipes Ave. Also, the development would have approximately ¼ mile of frontage and an access on Celery Ave. Other accesses would include SR 415 and SR 46 (through the existing Cameron Ave.). Internal project circulation would be provided by a combination of new and existing roads, with the east entrance on SR 415 serving 5 acres of commercial property.

As shown on the applicant's proposed Preliminary Master Plan, major components of the project are as follows:

1. **Single Family.** This component consists of six tracts totaling approximately 216 acres and will serve as a transition from lower intensity uses to the north and west, to higher intensities on the east and south, in the vicinity of the Orlando-Sanford International Airport (OSIA). Maximum proposed densities are 2.5 units per gross acre in Tract A, 3.5 units per acre in Tracts B, C, and D, and 4 units per gross acre in Tracts E and F, for a maximum of 765 units. Per Section 30.1359 of the Land Development Code, net density can be estimated by assuming 80% of the site is available for building purposes and 20% will be used for roads and retention. Based on this formula, net residential densities for the three sub-areas within the single family portion of the PUD will be as follows:

Tract(s)	Total Units	Acreage	Gross Density	Net Density
A	99	39.6	2.5	3.1
B,C,D	257	73.7	3.5	4.4
E,F	409	102.3	4.0	5.0

This estimate may be revised in the future as more detailed information will be provided with the Final Master Plan. Minimum lot sizes will range from 5,000 to 9,000 s.f. and minimum living areas will range from 1,500 to 1,700 s.f.

2. **Townhouse.** At a somewhat higher density and an internal location within the project, the applicant is proposing a maximum of 331 townhouse units on a 33-acre site. Gross density will be 10 units per acre and net density is estimated at 12.5 units per net buildable acre. The minimum living area will be 1,100 s.f. This tract will be accessed by a new road serving the proposed commercial sites on SR

415 and is adjacent to proposed commercial and industrial tracts within the PUD and existing industrial land in the City of Sanford and Seminole County.

3. **Commercial.** Two tracts (1.9 and 3.1 acres) will be established at the proposed intersection of the project entrance road and SR 415. These tracts would be configured as retail commercial, with C-1 uses permitted, including gas stations and car washes.
4. **Business Park.** A multi-use tract will be established on 13.7 acres adjacent to SR 46 on the south side of the subject property. This tract will be designated for light industrial and office uses.

In a written discussion of the proposal, the applicant notes that the subject property is in the vicinity of OSIA, an area targeted for intense airport-related development through the Industrial and HIP (Higher Intensity Planned Development) future land use designations of the Vision 2020 Plan. In this discussion, the applicant contends that Seminole County's desire to attract high intensity commercial and industrial development compatible with the airport "cannot be fully achieved if the provision of housing necessary to support the future new employment base is not part of the strategy."

Through the Vision 2020 Plan, Seminole County encourages higher intensity commercial and industrial development near the Orlando-Sanford International Airport, and has already approved significant amounts of residential at the intersection of SR 415 and SR 46. Road improvements in the area, both planned and under way, will facilitate traffic circulation and access to major transportation routes. The result is the emergence of a major center of employment and housing within a compact area to the north and east of the Airport. Assuming adequate public facility capacity, the proposed development is consistent with these ongoing trends.

STAFF RECOMMENDATIONS:

Staff recommends ADOPTION of an ordinance that includes the proposed map amendment from Suburban Estates (SE), Low Density Residential (LDR), Industrial, and Commercial to Planned Development (PD); and ADOPTION of an ordinance rezoning the property from Agriculture (A-1), Industrial (M-1), Retail Commercial (C-1) and Retail Commercial (C-2) to Planned Unit Development (PUD).

NOTE: At the time this agenda memorandum was prepared, the Objections, Recommendations, and Comments (ORC) report had not been received from the Florida Dept. of Community Affairs. The ORC report will be provided to the Board on or before the hearing date.

LAND PLANNING AGENCY (LPA) RECOMMENDATIONS:

On January 5, 2005, the Land Planning Agency (LPA) voted 7-0 to recommend DENIAL of the request based on the application failing to adequately address several issues, including compatibility with the airport, traffic and school impacts, and compatibility with the Celery Avenue study.

BOARD OF COUNTY COMMISSIONERS ACTION:

On February 8, 2005, the Board of County Commissioners voted 5-0 to TRANSMIT the large scale land use amendment and CONTINUE the rezone request subject to staff recommendations with the additional requirement of prohibiting multi-family residential uses within the Business Park area of the development.

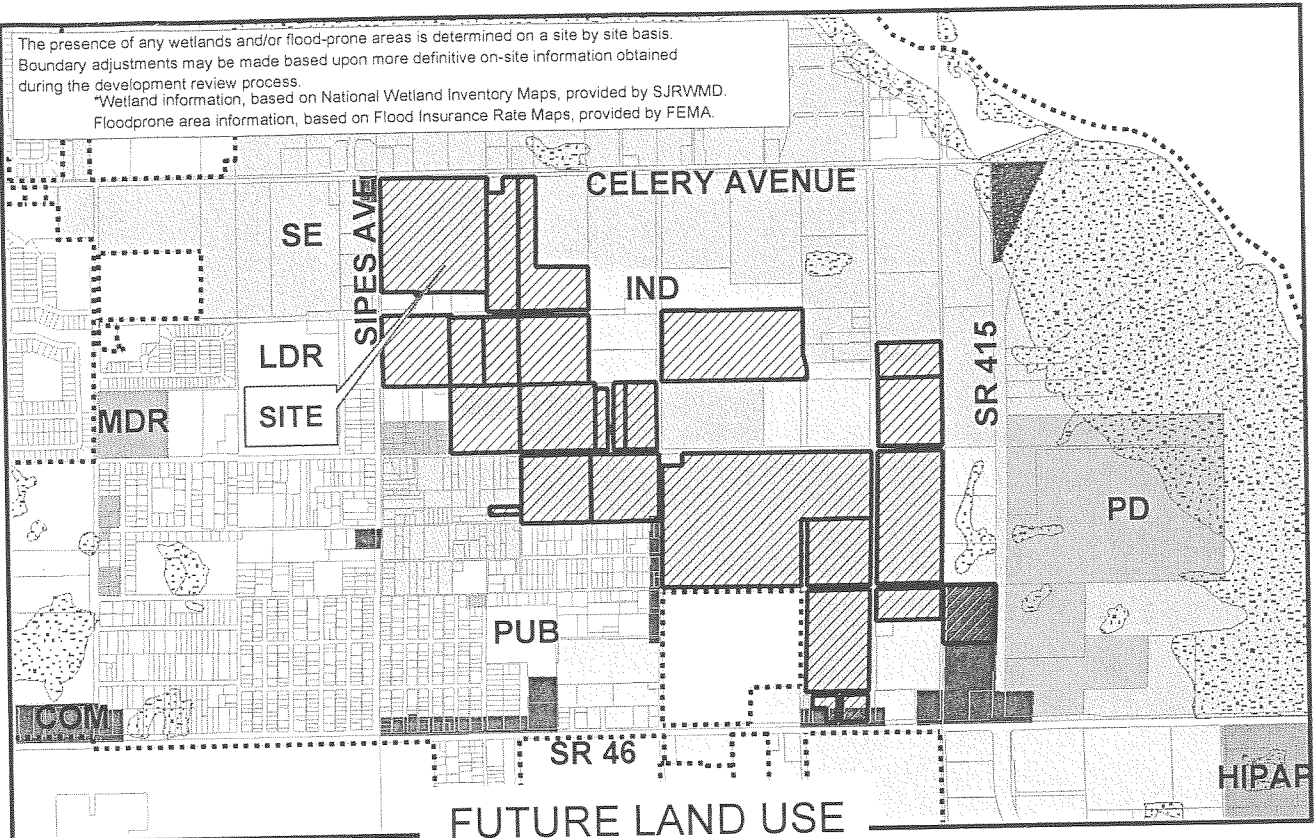
NOTICE OF AMENDMENT ORDINANCE

Adoption of the 2005 Spring Cycle Large Scale Amendment Ordinance

Should the Board of County Commissioners (the "Board") move to adopt an amendment ordinance for this hearing item, a single ordinance will be presented to the Board for enactment following the last large scale amendment hearing of this cycle. The ordinance presented to the Board for enactment will include all the previously approved hearing items, if any, for this large scale amendment cycle. The proposed ordinance title is:

AN ORDINANCE AMENDING THE VISION 2020 SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP DESIGNATIONS OF CERTAIN PROPERTIES BY VIRTUE OF LARGE SCALE DEVELOPMENT AMENDMENTS; AMENDING THE TEXT OF THE FUTURE LAND USE AND TRANSPORTATION ELEMENTS OF THE COMPREHENSIVE PLAN; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.

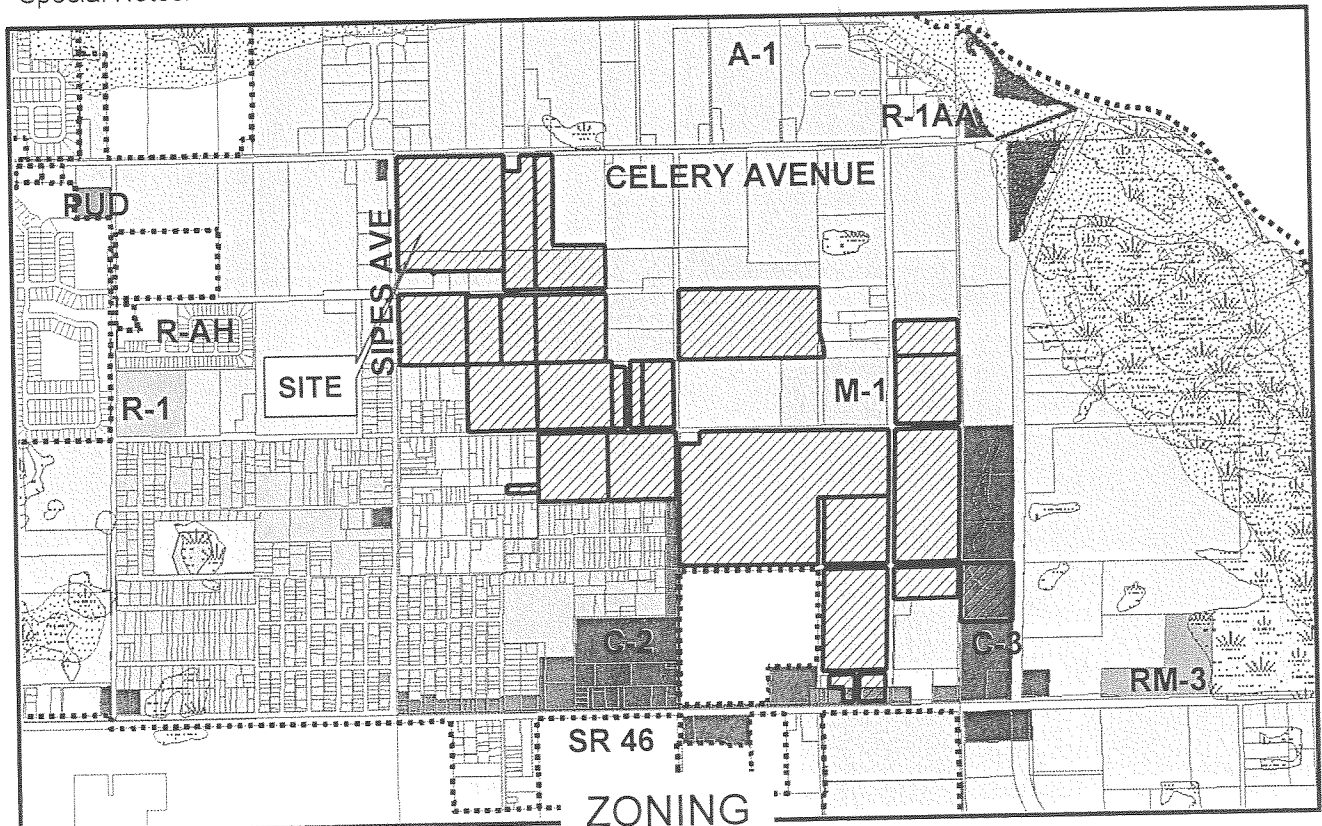


Site
 Municipality
 LDR
 MDR
 COM
 IND
 CONS

SE
 PD
 HIPAP
 PUB

Applicant: Cameron Heights PUD
 Physical STR: 33 & 34-19-31 (see attached)
 Gross Acres: 261 BCC District: 5
 Existing Use: Agriculture
 Special Notes: None

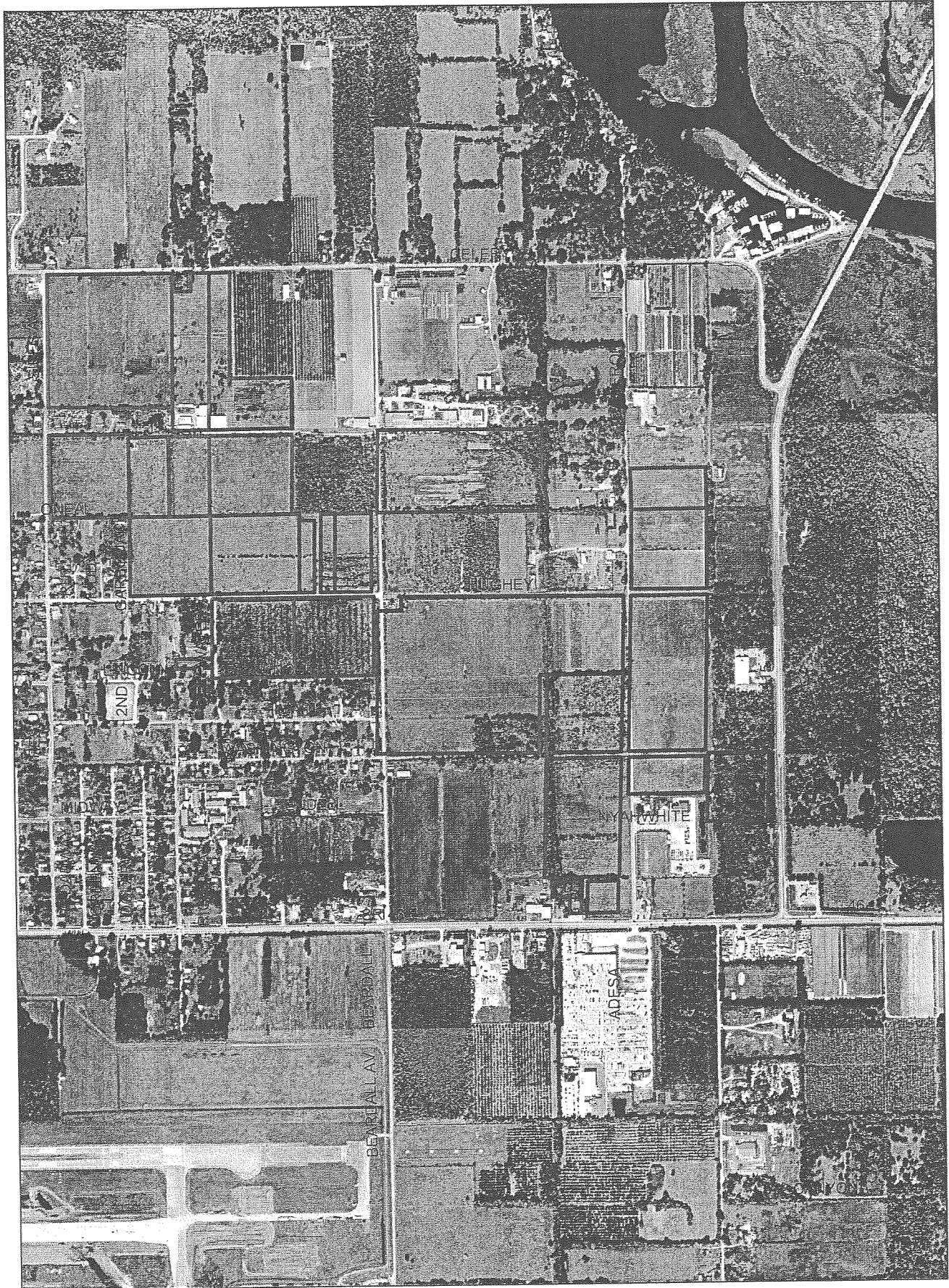
	Amend/ Rezone#	From	To
FLU	Z2004-059	MIXED	PUD
Zoning	055.FLU06	MIXED	PUD



A-1
 R-1
 RM-3
 C-2
 C-3
 R-AH
 FP-1
 W-1

R-1AA
 M-1

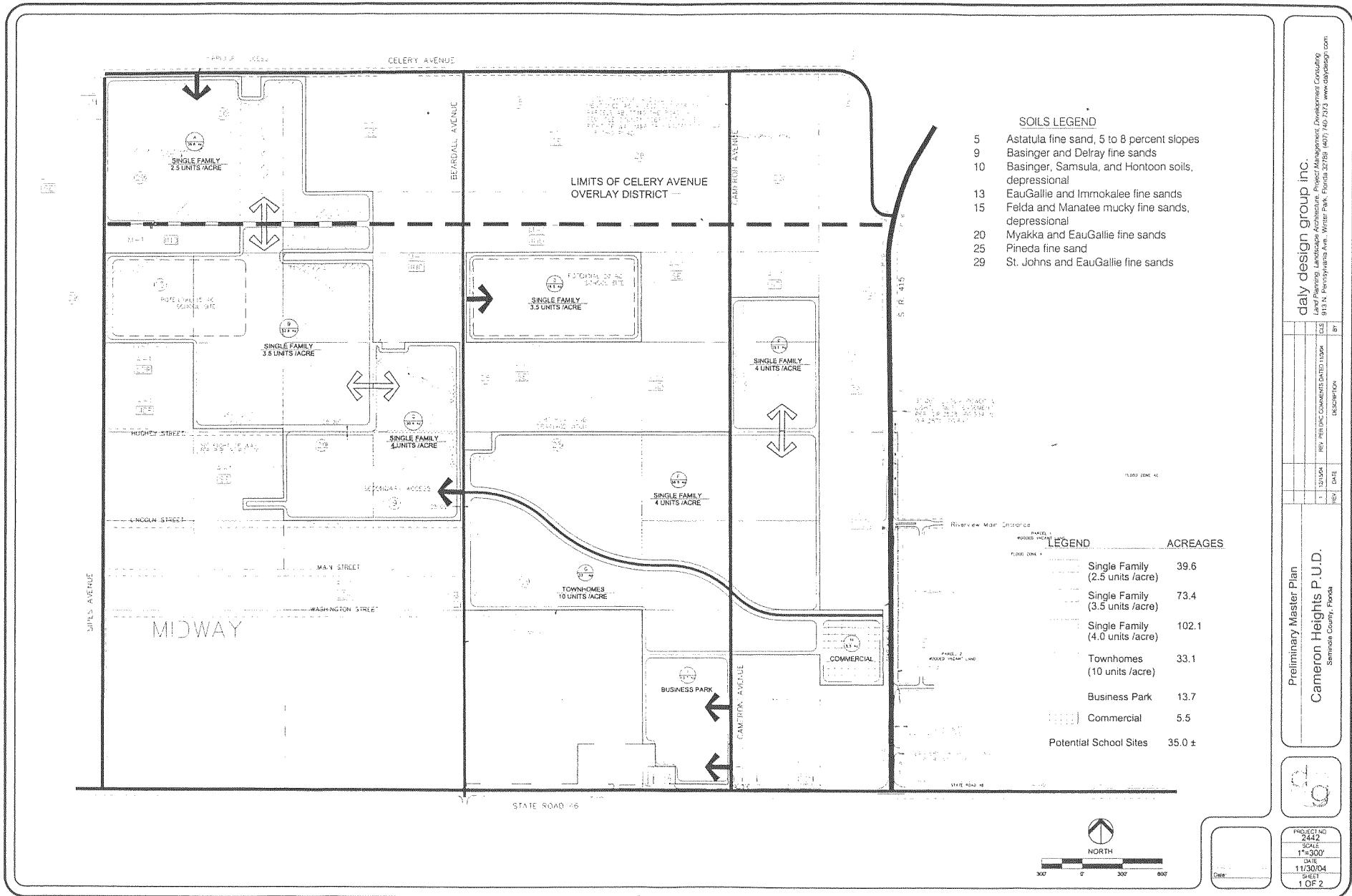
Amendment No: 055.FLU06



2004 Aerial Series

Subject Property

N



daly design group inc.

Preliminary Master Plan
Cameron Heights P.U.D.
Sarasota County, Florida

PROJECT NO.
2442
SCALE
1"=300'
DATE
11/30/04
SHEET
1 OF 2

Land Planning, Landscaping Architecture, Project Management, Development Consulting
913 N. Pennsylvania Ave., Winter Park, Florida 32789 (407) 740-7013 www.dalydesign.com

Cameron Heights PUD

Large Scale Land Use Amendment

Staff Report

**Large Scale Land Use Amendment from
Suburban Estates (SE), Low Density
Residential (LDR), Industrial, and
Commercial to Planned Development**

**Amendment
(Z2004-059,
05S.FLU06)**

REQUEST

APPLICANT	Robert Zlatkiss / American Land Development
PLAN AMENDMENT	Large Scale Land Use Amendment from Suburban Estates (SE), Low Density Residential (LDR), Industrial, and Commercial to Planned Development
REZONING	Agriculture (A-1), Industrial (M-1), Retail Commercial (C-1) and Retail Commercial (C-2) to Planned Unit Development (PUD)
APPROXIMATE GROSS ACRES	261
LOCATION	North of SR 46, south of Celery Ave., west of SR 415, east of Sipes Ave.
BCC DISTRICT	5, Carey

RECOMMENDATIONS AND ACTIONS

STAFF RECOMMENDATION May 10, 2005	Staff recommends ADOPTION of an ordinance that includes the proposed map amendment from Suburban Estates (SE), Low Density Residential (LDR), Industrial, and Commercial to Planned Development (PD); and ADOPTION of an ordinance rezoning the property from Agriculture (A-1), Industrial (M-1), Retail Commercial (C-1) and Retail Commercial (C-2) to Planned Unit Development (PUD).
BOARD OF COUNTY COMMISSIONERS ACTION February 8, 2005	The Board of County Commissioners voted 5-0 to TRANSMIT the large scale land use amendment and CONTINUE the rezone request subject to staff recommendations with the additional requirement of prohibiting multi-family residential uses within the Business Park area of the development.
LAND PLANNING AGENCY RECOMMENDATION January 5, 2005	The Land Planning Agency (LPA) voted 7-0 to recommend DENIAL of the request based on the application failing to adequately address several issues, including compatibility with the airport, traffic and school impacts, and compatibility with the Celery Avenue study.

STAFF ANALYSIS

Large Scale Land Use Amendment from Suburban Estates (SE), Low Density Residential (LDR), Industrial, and Commercial to Planned Development

Amendment
(Z2004-059,
05S.FLU06)

1. **Property Owner:** See Attachment "A".
2. **Tax Parcel Numbers:** See Attachment "A".
3. **Development Trends:** The subject property lies in a largely undeveloped area with scattered single family homes and small business uses. To the south of the site is the Orlando-Sanford International Airport and some small commercial and industrial properties, including an auto auction, along SR 46. To the east, across SR 415, is the location of the approved Raintree PUD, planned for 155 single family units, a 68-site recreational vehicle park and several acres of retail commercial development. To the north and west of the site, beyond Celery and Sipes Avenues, is a substantial area of large homesites in Suburban Estates (SE). This area has been the subject of extensive discussions with the City of Sanford over raising allowable densities, but these negotiations have not concluded.

SITE DESCRIPTION

1. **EXISTING AND PERMITTED USES:** The future land use designation of Suburban Estates (SE), Commercial and Industrial, permit agriculture, rural residential, retail commercial and heavy (non-retail) commercial and industrial uses.

(North)

(West)	SE SF/Vacant <i>A-1</i>	SE/IND SF/Industrial/vacant <i>A-1/M-1</i>	SE/IND SF/Industrial <i>A-1/M-1</i>	(East)
	SE/LDR/COM SF/Vacant <i>A-1/R-1</i>	SE/LDR/IND SF/Vacant/Commercial <i>A-1/M-1/C-2/C-3</i>	SE/IND/PD Inst./vacant <i>C-3/PUD</i>	
	SE/LDR/COM SF/vacant <i>R-1A/A-1</i>	LDR/COM/IND SF/Vacant/Commercial <i>A-1/R-1/C-2/C-3/M-1</i>	PD/COM/IND Vacant/Commercial <i>A-1/M-1/C-3</i>	

(South)

***Bold** text depicts future land use designation and *italicized* text depicts zoning district. See attached future land use and zoning maps for more details.

COMPREHENSIVE PLAN CONSISTENCY

2. PLAN PROGRAMS - Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction. Each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved.

Summary of Program Impacts: The proposed amendment does not alter the options or long-range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan. The amendment request would not be in conflict with the Metroplan Orlando Plan or the Florida Department of Transportation's 5-Year Plan (Transportation Policy 14.1).

A. Traffic Circulation - Consistency with Future Land Use Element: *In terms of all development proposals, the County shall impose a linkage between the Future Land Use Element and the Transportation Element and all land development activities shall be consistent with the adopted Future Land Use Element (Transportation Policy 2.1).*

Primary access to the subject property is via SR 415, an arterial road connecting SR 46 with the St. Johns River and Volusia County to the north. Further access will be Celery Ave., a Collector linking SR 415 with the City of Sanford. Access to the business park portion of the development will be from SR 46 via Cameron Ave.; however, there will be no major thoroughfare connecting this area to the balance of the PUD. Secondary access into certain single family tracts (Tracts C and D) will be from Beardall Ave.

SR 46 is currently a 2-lane road and is now operating at Level of Service (LOS) F, below the adopted LOS standard of E. However, a A planned expansion of this road to a 4-lane facility will remove this deficiency prior to 2020. However, the widening of SR 46 is not scheduled for construction in the next 5 years. This project will be required to be phased until the widening of SR 46 is scheduled within the first 3 years of the Capital Improvements Plan per Florida Statutes and the Land Development Code. In the absence of a traffic study that addresses impacts of the development in the year 2010, the project should not proceed beyond the first 200 homes or equivalent ADT until the 4-laning of SR 46 is scheduled for construction in the first 3 years of the 5-year capital plan.

The Board may wish to consider approving an additional increment of development exceeding 200 units or equivalent traffic generation, provided that the applicant submits a more detailed traffic study describing the impacts of the East Lake Mary Boulevard extension. This improvement will divert some existing traffic away from the subject property, and may enable the applicant to develop at densities and intensities exceeding those allowed under future land use designations now

~~existing on the property, but without increasing traffic volumes to corresponding levels. This will afford the developer time and opportunity to~~ Meanwhile, the applicant should explore ways of advancing the 4-laning of SR 46 on the construction schedule.

~~Early in the review process,~~ the applicant submitted a traffic study which indicates that the future land use designations currently applicable to the subject property would generate an estimated 19,153 daily trips above current levels. The proposed development would generate 15,206 daily trips, a net reduction of 3,947. With the planned improvements to SR 46, adjoining collector and arterial roads should have adequate capacity to maintain adopted LOS standards.

~~The issue of vacating Cameron Avenue should be addressed. Staff cannot support the elimination of the segment of Cameron Avenue that extends through the project unless the applicant provides a traffic mitigation strategy.~~

B. Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps: *Figure 11.1 and Figure 14.1 are the water and sewer service area maps for Seminole County*

The subject property is within the City of Sanford water and sewer service areas. The applicant is required to secure an agreement with the City to provide these services. The City has existing potable water, reclaim water, and sewer lines in the area. A new sewer plant, which will serve the vicinity of the subject property, will be completed in 18 to 24 months. The City may require annexation as a condition of providing utilities to the development.

C. Public Safety – Adopted Level of Service: *The County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes (Public Safety Policy 12.2.2).*

The property is served by the Seminole County EMS/Fire Station #41. Response time to the site is less than 5 minutes, which meets the County's average response time standard of 5 minutes.

3. REGULATIONS - The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Vision 2020 Plan, but are not applied in detail at this stage.

A. Preliminary Development Orders: Capacity Determination: *For preliminary development orders and for final development orders under which no development activity impacting public facilities may ensue, the capacity of Category I and Category III public facilities shall be determined as follows...No rights to obtain final development orders under which development activity impacting public facilities may ensue, or to obtain development permits, nor any other rights to develop the subject property shall be deemed to have been*

granted or implied by the County's approval of the development order without a determination having previously been made that the capacity of public facilities will be available in accordance with law (Implementation Policy 1.2.3).

The subject property lies within the City of Sanford's potable water and sewer service area. The applicant is required to obtain documentation from Sanford indicating that such services are available, or will be available when new demand is generated as a result of the project. ~~The applicant is deferring concurrency review at this time, but infrastructure capacities will have to be addressed prior to issuance of any final development order(s).~~ Infrastructure capacities will have to be addressed prior to issuance of any final development order(s). Staff is recommending that concurrency evaluation be completed prior to Final Master Plan approval (see attached Development Order).

B. Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection: *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-1) and Wetlands (W-1) Overlay Zoning classifications...(Policy FLU 1.2 and 1.3).*

The site appears to contain relatively small areas of wetlands. Through the Final Master Plan process, these areas will be precisely mapped and left largely undisturbed. Such areas will be dedicated to Seminole County through conservation easements as required by Policy FLU 1.3.

C. Protection of Endangered and Threatened Wildlife: *The County shall continue to require, as part of the Development Review Process, proposed development to coordinate those processes with all appropriate agencies and comply with the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission Rules as well as other applicable Federal and State Laws regarding protection of endangered and threatened wildlife prior to development approval (Conservation Policy 3.13).*

A threatened and endangered species report is required prior to final engineering approval for any proposed development on the subject property.

4. DEVELOPMENT POLICIES - Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the use, intensity, location, and timing of the proposed amendment.

A. Compatibility: When the County's Future Land Use Map (FLUM) was developed in 1987, land use compatibility issues were evaluated and ultimately defined through a community meeting/hearing process that involved substantial public comment and input. When amendments are proposed to the FLUM, however, staff makes an initial evaluation of compatibility, prior to public input and comment, based upon a set of professional standards that include, but are not limited to criteria such as: (a) long standing community development patterns; (b) previous policy direction from the Board of County Commissioners; (c) other

planning principles articulated in the Vision 2020 Plan (e.g., appropriate transitioning of land uses, protection of neighborhoods, protection of the environment, protection of private property rights, no creation of new strip commercial developments through plan amendments, etc.).

Based upon an initial evaluation, the proposed PD land use and associated development plan is compatible with surrounding uses, primarily because of the transitioning pattern of land use intensities within the development. Single family residential use is proposed at densities ranging from 2.5 units per acre at the northwest corner of the site, to 3.5 and 4 units per acre in interior portions of the development. Densities and intensities transition upward toward the south and east, with commercial and industrial uses located adjacent to existing similar uses along SR 46 and SR 415.

The primary issue related to compatibility is the placement of industrial uses next to single family residential development. Where such uses adjoin, active buffers are required to mitigate adverse impacts.

Applicable Plan policies include, but are not limited to, the following:

Transitional Land Uses (Policy FLU 2.5): *The County shall evaluate plan amendments to insure that transitional land uses are provided as a buffer between residential and non-residential uses, between varying intensities of residential uses, and in managing the redevelopment of areas no longer appropriate as viable residential areas. "Exhibit FLU: Appropriate Transitional Land Uses" is to be used in determining appropriate transitional uses.*

"Exhibit FLU: Appropriate Transitional Land Uses" does not directly address the proposed PD land use designation relative to adjoining land use classifications. However, effective conclusions can be drawn by segmenting the proposed development into its single family, townhouse, commercial and business park components, which are analogous to the LDR, MDR, Commercial, and Industrial land use designations, respectively.

Where single family use is proposed next to existing or proposed industrial property, the developer of the residential tracts will be required to provide walls and buffers consistent with the active buffer requirements of the Land Development Code.

The townhouse tract is located such that it only adjoins single family within the boundaries of the PUD, commercial and industrial land. All such uses are considered to be appropriate transitional uses, subject to sensitive site design standards employed as necessary. The commercial area borders existing industrial and commercial land to the north and south, while the business park would adjoin such land on the east, west and south. With a potential for multi-family and office uses, the business park should be considered an effective transition between the townhouse tract and SR 46.

Other applicable plan policies include:

FLU 2.1 Subdivision Standards

FLU 5.5: Water and Sewer Service Expansion

PD Future Land Use Definition

B. Concurrency Review - Application to New Development: *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public facilities level of service standards and schedules of capital improvements...shall be applied and evaluated...consistent with policies of the Implementation Element... (Capital Improvements Policy 3.2).*

This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued only if public facilities meeting the adopted LOS are available or will be available concurrent with the development. Additionally, preliminary development orders may only be issued with the condition that no rights to obtain final development orders or development permits, nor any other rights to develop the subject property are granted or implied by the County's approval of the preliminary development order. The applicant has ~~elected~~ requested to defer concurrency review at this time. ~~Concurrency compliance will be required at the time of final engineering. However,~~ staff recommends that concurrency compliance be required at the time of Final Master Plan approval (see attached Development Order).

FURTHER DISCUSSION:

The proposed Cameron Heights PUD will bring significant changes to the areas surrounding the subject property. It will provide substantial amounts of new housing to an area where the County anticipates intensive nonresidential development related to the Orlando-Sanford International Airport. This will range from low density single family to townhouse and apartment housing types. In addition, the proposal will provide a limited amount of retail commercial, which would primarily serve residents of the development, thus reducing the need for such residents to travel outside the area for shopping. Finally, the project includes a mixed use component which is likely to add office and light industrial uses to the existing stock of heavy commercial development in and around the airport.

Although it is relatively large in scale, the proposed development will generate less traffic than anticipated from the future land use designations already applied to the property and is consistent with higher intensities of development anticipated by the Vision 2020 Plan in the airport vicinity. These intensities are supported by ongoing or planned public investments, such as the Lake Mary Boulevard Extension, the widening of SR 46, and expansion of the airport itself. An important benefit of the project will be the increased opportunities it brings for employment and housing within a compact area.

Public facilities appear to be adequate to serve a development of this size, with the exception of SR 46, a 2-lane road currently operating below the adopted Level of Service (LOS) standard. Cameron Heights will be required to be phased so that the necessary improvements to this facility are available when the impacts of the development occur. The majority of new construction within the development should occur only when the widening of SR 46 is scheduled within the first 3 years of the 5-Year Capital Improvements Plan. Prior to that time, construction should be limited to a quantity of development generating no more than 2000 vehicle trips per day. This is equivalent to traffic that could be generated by land uses permitted under the current configuration of the Future Land Use Map of the Vision 2020 Plan.

As the Board considers final adoption of the proposed land use amendment, the applicant notes that the eastward extension of Lake Mary Boulevard to an intersection with SR 46 is well under way, and that the project will soon add capacity to the latter road, the main access to Cameron Heights. The improvement will provide an alternate route for vehicles traveling between US 17-92 and CR 415, connecting to Volusia County, or East SR 46, connecting to Brevard County. County engineers anticipate that this new route will reduce existing traffic volumes on the segment of SR 46 adjacent to Cameron Heights by some amount. The applicant feels that the reduction justifies additional amounts of development beyond the 200 dwelling units and/or 2,000 trips per day recommended in this report. Staff agrees that a reduction in traffic will occur, but sufficient technical information has not been provided to establish the degree of reduction. Any increase in development authorized on the basis of this reduction should be contingent upon maintaining a traffic volume consistent with permitted development under future land use designations now existing on the property. This was the intent of the original staff recommendation for a maximum of 200 units or 2,000 trips per day. Staff has no objection to additional amounts of development if the applicant can support a request for such development with adequate technical data. Staff recommendations in this report and the draft Development Order have been revised to address this issue.

Despite an expected improvement in traffic conditions in the vicinity of Cameron Heights, the primary traffic-related issue remains the physical capacity of SR 46. The timing of improvements to this state road is still uncertain and not entirely within Seminole County's control. The applicant should explore ways to advance this project on the construction schedule, such as making a funding contribution to the Florida Department of Transportation, or developing a partnership with the Airport, which may have a similar interest in the road expansion.

INTERLOCAL NOTIFICATION	The City of Sanford was provided interlocal notice of this rezoning on April 12, 2005, per the Interlocal Planning Coordination Agreement of 1997.
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STAFF RECOMMENDATION:

NOTE: At the time this agenda memorandum was prepared, the Objections, Recommendations, and Comments (ORC) report had not been received from the Florida Dept. of Community Affairs. The ORC report will be provided to the Board upon receipt.

Staff recommends APPROVAL of the request subject to the following conditions:

Single Family Tracts (A-F)

- a. Maximum densities shall be as follows:

Tract(s)	Total Max. Units	Acreage	Gross Density	Net Density
A	99	39.6	2.5	3.1
B,C,D	257	73.7	3.5	4.4
E,F	409	102.3	4.0	5.0

- b. Building setbacks for Tract A shall be as follows:

<i>Residential Units</i>	
front	20' from R/W
	20' from nearest edge of sidewalk
side	7.5'
side street	20'
rear	20'

<i>Accessory Buildings less than 200 s.f.</i>	
side	7.5'
side street	20'
rear	7.5'

<i>Pools and Screen Enclosures</i>		
	Screen Enclosure	Pool
front	20'	22'
side	5'	7'
side street	20'	22'
rear	5'	7'

- c. Building setbacks for Tracts B-F shall be as follows:

<i>Residential Units</i>	
front	20' from R/W
	20' from nearest edge of sidewalk
side	5'
side street	20'
rear	20'

<i>Accessory Buildings less than 200 s.f.</i>	
side	5'
side street	20'

<i>Accessory Buildings less than 200 s.f.</i>	
rear	5'

<i>Pools and Screen Enclosures</i>		
	Screen Enclosure	Pool
front	20'	22'
side	5'	7'
side street	20	22'
rear	5'	7'

- d. Where adjacent to properties in M-1 zoning or the Industrial future land use designation, single family development shall be separated from such properties by an active buffer per the Land Development Code. These buffers shall be located in common areas and shall not include any portion of any privately owned residential lot.
- e. Maximum building height shall be 35 feet.
- f. Minimum lot sizes and widths shall be as follows:

Tract	Min. Lot Width	Min. Lot Size	Min. Corner Lot Width	Min. Corner Lot Size
A	75'	9,000	100'	10,350
B, C, D	60'	6,600	70'	7,590
E, F	50'	5,000	60'	5,750

- g. Permitted uses shall be single family homes, home occupations, and home offices.
- h. Minimum house size shall be 1,700 s.f. of living area in Tract A, 1,600 s.f. of living area in Tracts B, C, and D, and 1,500 s.f. of living area in Tracts E and F.
- i. All tracts shall individually include 25% usable common open space, to be evaluated at Final Master Plan approval.
- j. Recreational uses to be provided within designated open space shall be established in the Final Master Plan.
- k. Where counted toward required open space, all retention ponds shall be configured as site amenities per Section 30.1344. This shall be evaluated at Final Master Plan approval.
- l. Adjacent to other properties in commercial or industrial zoning and/or future land use, including those within the PUD having designated uses of commercial and/or industrial, the developer shall provide a 6-foot PVC fence and a 15-foot buffer containing 4 canopy trees and 8 understory trees per 100 linear feet.
- m. All landscape buffers and common areas shall be maintained by a homeowners association.
- n. Development within Tract A shall comply with the Draft Celery Avenue Development Standards.
- o. All residential structures located south of Hughey Street and a line extending eastward from the eastern terminus of Hughey Street shall be constructed utilizing sound attenuation blankets in a manner acceptable to the Seminole County Building Official.

- p. Subdivision plats establishing residential lots within the limits of the subject property shall include a note (font size twelve point or larger) stating the following:

This property is located in proximity to an airport noise zone. The properties delineated on this plat are subject to aircraft noise that may be objectionable.

- q. The sale of each residential lot shall include a deed containing the following language in bold type face:

NOTICE OF AIRPORT NOISE

This property is located in proximity to an airport noise zone. Residents will be subject to aircraft noise that may be objectionable.

Townhouse Tract (Tract G)

- r. All units shall be located on individual lots to be sold fee simple.
s. Density shall be limited to a maximum of 10 units per gross acre to a maximum of 331 units.
t. All residential structures shall be constructed utilizing sound attenuation blankets in a manner acceptable to the Seminole County Building Official.
u. Building setbacks shall be as follows:

Townhouse Units	
front	20' from R/W
	20' from nearest edge of sidewalk
side	0'
side street	20'
rear	10'

Building Separation Requirements	
Side to side	20'
Side to rear	30'
Rear to rear	40'

- v. Where adjacent to properties in M-1 zoning or the Industrial future land use designation, townhouse units shall be separated from such properties by an active buffer per the Land Development Code. These buffers shall be located in common areas and shall not include any portion of any privately owned residential lot.
w. No accessory buildings shall be permitted on individual platted lots.
x. Maximum building height shall be 2 stories and 35 feet.
y. Lots shall be no less than 20 feet in width.
z. Permitted uses shall be townhouse residential units, home occupations, and home offices.
aa. Minimum living area shall be 1,100 square feet.

- bb. The site shall include 25% usable common open space, to be evaluated at Final Master Plan approval.
- cc. Recreational uses to be provided within designated open space shall be established in the Final Master Plan.
- dd. Where counted toward required open space, all retention ponds shall be configured as site amenities per Section 30.1344. This shall be evaluated at Final Master Plan approval.
- ee. Required parking shall be 2 spaces per unit, and shall be provided on individual lots.
- ff. Visitor parking shall be provided at the rate of 1 space per 3 units.
- gg. Garages shall not be converted to living area unless 2 parking spaces remain on each platted lot after such conversion.
- hh. Storage of recreation vehicles, boats on trailers, or trailers of any kind must be accommodated off-site or in a designated parking area separate from platted lots.
- ii. Sidewalks shall be provided adjacent to all units, on both sides of internal streets.
- jj. Front walls of townhouse units shall be staggered.
- kk. Architectural renderings of the units shall be presented and approved at Final Master Plan.
- ll. All landscape buffers and common areas shall be maintained by a homeowners association.
- mm. The developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to public sidewalks outside the development.
- nn. At Final Master Plan, the applicant shall demonstrate that 25 percent of trees on the site are being preserved.
- oo. All residential structures shall be constructed utilizing sound attenuation blankets in a manner acceptable to the Seminole County Building Official.
- pp. Subdivision plats establishing residential lots within the limits of the subject property shall include a note (font size twelve point or larger) stating the following:

This property is located in proximity to an airport noise zone. The properties delineated on this plat are subject to aircraft noise that may be objectionable.

- qq. The sale of each residential lot shall include a deed containing the following language in bold type face:

NOTICE OF AIRPORT NOISE

***This property is located in proximity to an airport noise zone.
Residents will be subject to aircraft noise that may be objectionable.***

Commercial Tract (Tract H)

- rr. Allowable uses shall be those listed in the Land Development Code as permitted and special exception uses in the C-1 district. Permitted uses shall also include gas stations and car washes.
- ss. Prohibited uses shall be as follows:
- adult entertainment establishments
 - alcoholic beverage establishments
 - automobile and boat sales and service
 - communication towers
 - multifamily housing
 - outdoor advertising signs
 - tattoo parlors
 - pawn shops
- tt. Maximum floor area ratio (FAR) shall be 0.35.
- uu. FAR and open space requirements shall be met individually by Tracts F and G.
- vv. Setbacks and building heights shall be per C-1 standards.
- ww. Active-passive buffer standards shall be employed where Tracts F and G adjoin Tracts C and D.
- xx. Tracts F and G shall not have direct access to SR 415.

Business Park Tract (Tract I)

- yy. Site development standards per the C-1 zoning district shall apply, including but not limited to parking, landscaping, building height and performance standards.
- zz. Maximum floor area ratio (FAR) shall be 0.40.
- aaa. Allowable uses shall be as follows:
- Office per OP district standards
 - Light industrial per M-1A standards
 - Commercial uses listed in the Land Development Code as permitted and special exception uses in the C-1 district, except communication towers shall be permitted by special exception only
- bbb. Prohibited uses shall be as follows:
- adult entertainment establishments
 - alcoholic beverage establishments
 - automobile and boat sales and service
 - multifamily housing
 - outdoor advertising signs
 - tattoo parlors
 - pawn shops

All Tracts

- ccc. All development shall connect to central water and sewer service when such service becomes available.
- ddd. Public school facilities may be permitted with temporary septic systems pending the availability of sewer service. All other nonresidential development and all residential development exceeding 1 dwelling unit per gross acre shall connect to central water and sewer service prior to issuance of any certificate of occupancy.
- eee. Prior to final engineering approval, the developer shall obtain documentation from the City of Sanford that central water and sewer service are available for development requiring such service under the terms of this Development Order, or that such service will be available when the impacts of the development occur.
- fff. Development of the PUD shall be phased such that no more than 200 dwelling units are permitted or 2,000 vehicle trips per day are generated until such time as the 4-laning of SR 46 appears within the first 3 years of the adopted 5-Year Capital Improvements Plan. An increase in this limit may be authorized by the Planning Manager upon receipt of adequate technical information supporting such increase, and demonstrating that the net impact of this additional development on SR 46 does not exceed 2,000 vehicle trips per day.
- ggg. Any dwelling units constructed in addition to the 200 units permitted in Paragraph (fff), shall use Celery Ave. for access to and from the development.
- hhh. The Developer shall obtain concurrency approval for the PUD, or any phase thereof, prior to Final Master Plan approval.
- iii. Cameron Ave. shall remain a through road and shall be constructed to County standards between SR 46 and Celery Ave.
- jjj. Developer shall dedicate sufficient property to create 40-foot half rights-of-way for Cameron and Beardall Avenues.
- kkk. Turn lanes shall be provided at project entrances on SR 415 and SR 46.
- lll. Turn lanes shall be provided where subdivision entrances access Beardall Ave., and at the Beardall intersections of Celery Ave. and SR 46.
- mmm. The developer shall be financially responsible for any traffic lights warranted by the project.
- nnn. Prior to Final Master Plan approval, the developer shall re-evaluate the current basin study to verify the capacity of the downstream system to handle stormwater from the project.

LAND PLANNING AGENCY (LPA) RECOMMENDATIONS:

On January 5, 2005, the Land Planning Agency (LPA) voted 7-0 to recommend DENIAL of the request based on the application failing to adequately address several issues, including compatibility with the airport, traffic and school impacts, and compatibility with the Celery Avenue study.

BOARD OF COUNTY COMMISSIONERS ACTION:

On February 8, 2005, the Board of County Commissioners voted 5-0 to TRANSMIT the large scale land use amendment and CONTINUE the rezone request subject to staff recommendations with the additional requirement of prohibiting multi-family residential uses within the Business Park area of the development.

ATTACHMENT A

Owner

Parcel Number

American Land Development Co.:

33-19-31-300-0200-0000
33-19-31-501-0000-00A0
33-19-31-501-0000-0130
33-19-31-300-0210-0000

Gehr Garner J. & Kathleen A.

33-19-31-300-0550-0000
33-19-31-300-0560-0000
33-19-31-300-057B-0000

Manjikian Serop H. & Sona H.

33-19-31-300-0150-0000

Stenstrom Carolyn P, Trustee

33-19-31-300-0220-0000
33-19-31-300-0360-0000
33-19-31-300-0340-0000
33-19-31-300-0350-0000
33-19-31-300-0420-0000
33-19-31-510-0000-0010
33-19-31-510-0000-0110
33-19-31-300-129A-0000
33-19-31-300-0129-0000
33-19-31-300-004C-0000
33-19-31-300-004D-0000
33-19-31-300-004B-0000
33-19-31-300-004F-0000
33-19-31-300-004A-0000

Jett Charles L. & Mary E.

34-19-31-300-003A-0000

Russell John F. & Jimye K.

33-19-31-300-0230-0000
33-19-31-300-0270-0000

Cullum Jerry W.

33-19-31-300-0290-0000

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On May 10, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: AMERICAN LAND DEVELOPMENT INC.
GARNER J. & KATHLEEN A. GEHR
SEROP H. & SONA H. MANJIKIAN
CAROLYN P. STENSTROM
CHARLES L. & MARY E. JETT
JOHN F. & JIMYE K. RUSSELL
JERRY W. CULLUM

Project Name: CAMERON HEIGHTS PUD

Requested Development Approval: Large Scale Land Use Amendment from Suburban Estates (SE), Low Density Residential (LDR), Commercial and Industrial to Planned Development (PD); and rezone from Agriculture (A-1), Industrial (M-1), Retail Commercial (C-1), and Retail Commercial (C-2) to Planned Unit Development (PUD).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: JEFF HOPPER
1101 East First Street
Sanford, Florida 32771

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

Single Family Tracts (A-F)

a. Maximum densities shall be as follows:

Tract(s)	Total Max. Units	Acreage	Gross Density	Net Density
A	99	39.6	2.5	3.1
B,C,D	257	73.7	3.5	4.4
E,F	409	102.3	4.0	5.0

b. Building setbacks for Tract A shall be as follows:

<i>Residential Units</i>	
Front	20' from R/W
	20' from nearest edge of sidewalk
Side	7.5'
side street	20'
Rear	20'

<i>Accessory Buildings less than 200 s.f.</i>	
Side	7.5'
side street	20'
Rear	7.5'

<i>Pools and Screen Enclosures</i>		
	Screen Enclosure	Pool
Front	20'	22'
Side	5'	7'
side street	20'	22'
Rear	5'	7'

c. Building setbacks for Tracts B-F shall be as follows:

<i>Residential Units</i>	
Front	20' from R/W
	20' from nearest edge of sidewalk
Side	5'
side street	20'
Rear	20'

<i>Accessory Buildings less than 200 s.f.</i>	
Side	5'
side street	20'
Rear	5'

<i>Pools and Screen Enclosures</i>		
	Screen Enclosure	Pool
Front	20'	22'
Side	5'	7'
side street	20	22'
Rear	5'	7'

- d. Where adjacent to properties in M-1 zoning or the Industrial future land use designation, single family development shall be separated from such properties by an active buffer per the Land Development Code. These buffers shall be located in common areas and shall not include any portion of any privately owned residential lot.
- e. Maximum building height shall be 35 feet.
- f. Minimum lot sizes and widths shall be as follows:

Tract	Min. Width	Lot	Min. Lot Size	Min. Corner Lot Width	Min. Corner Lot Size
A	75'		9,000	100'	10,350
B, C, D	60'		6,600	70'	7,590
E, F	50'		5,000	60'	5,750

- g. Permitted uses shall be single family homes, home occupations, and home offices.
- h. Minimum house size shall be 1,700 s.f. of living area in Tract A, 1,600 s.f. of living area in Tracts B, C, and D, and 1,500 s.f. of living area in Tracts E and F.
- i. All tracts shall individually include 25% usable common open space, to be evaluated at Final Master Plan approval.
- j. Recreational uses to be provided within designated open space shall be established in the Final Master Plan.
- k. Where counted toward required open space, all retention ponds shall be configured as site amenities per Section 30.1344. This shall be evaluated at Final Master Plan approval.
- l. Adjacent to other properties in commercial or industrial zoning and/or future land use, including those within the PUD having designated uses of commercial and/or industrial, the developer shall provide a 6-foot PVC fence and a 15-foot buffer containing 4 canopy trees and 8 understory trees per 100 linear feet.
- m. All landscape buffers and common areas shall be maintained by a homeowners association.
- n. Development within Tract A shall comply with the Draft Celery Avenue Development Standards.
- o. All residential structures located south of Hughey Street and a line extending eastward from the eastern terminus of Hughey Street shall be constructed utilizing sound attenuation blankets in a manner acceptable to the Seminole County Building Official.

- p. Subdivision plats establishing residential lots within the limits of the subject property shall include a note (font size twelve point or larger) stating the following:

This property is located in proximity to an airport noise zone. The properties delineated on this plat are subject to aircraft noise that may be objectionable.

- q. The sale of each residential lot shall include a deed containing the following language in bold type face:

NOTICE OF AIRPORT NOISE

This property is located in proximity to an airport noise zone. Residents will be subject to aircraft noise that may be objectionable.

Townhouse Tract (Tract G)

- r. All units shall be located on individual lots to be sold fee simple.
s. Density shall be limited to a maximum of 10 units per gross acre to a maximum of 331 units.
t. All residential structures shall be constructed utilizing sound attenuation blankets in a manner acceptable to the Seminole County Building Official.
u. Building setbacks shall be as follows:

<i>Townhouse Units</i>	
Front	20' from R/W
	20' from nearest edge of sidewalk
side	0'
side street	20'
rear	10'

<i>Building Separation Requirements</i>	
Side to side	20'
Side to rear	30'
Rear to rear	40'

- v. Where adjacent to properties in M-1 zoning or the Industrial future land use designation, townhouse units shall be separated from such properties by an active buffer per the Land Development Code. These buffers shall be located in common areas and shall not include any portion of any privately owned residential lot.
w. No accessory buildings shall be permitted on individual platted lots.
x. Maximum building height shall be 2 stories and 35 feet.
y. Lots shall be no less than 20 feet in width.
z. Permitted uses shall be townhouse residential units, home occupations, and home offices.
aa. Minimum living area shall be 1,100 square feet.
bb. The site shall include 25% usable common open space, to be evaluated at Final Master Plan approval.
cc. Recreational uses to be provided within designated open space shall be established in the Final Master Plan.

- dd. Where counted toward required open space, all retention ponds shall be configured as site amenities per Section 30.1344. This shall be evaluated at Final Master Plan approval.
- ee. Required parking shall be 2 spaces per unit, and shall be provided on individual lots.
- ff. Visitor parking shall be provided at the rate of 1 space per 3 units.
- gg. Garages shall not be converted to living area unless 2 parking spaces remain on each platted lot after such conversion.
- hh. Storage of recreation vehicles, boats on trailers, or trailers of any kind must be accommodated off-site or in a designated parking area separate from platted lots.
- ii. Sidewalks shall be provided adjacent to all units, on both sides of internal streets.
- jj. Front walls of townhouse units shall be staggered.
- kk. Architectural renderings of the units shall be presented and approved at Final Master Plan.
- ll. All landscape buffers and common areas shall be maintained by a homeowners association.
- mm. The developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to public sidewalks outside the development.
- nn. At Final Master Plan, the applicant shall demonstrate that 25 percent of trees on the site are being preserved.
- oo. All residential structures shall be constructed utilizing sound attenuation blankets in a manner acceptable to the Seminole County Building Official.
- pp. Subdivision plats establishing residential lots within the limits of the subject property shall include a note (font size twelve point or larger) stating the following:

This property is located in proximity to an airport noise zone. The properties delineated on this plat are subject to aircraft noise that may be objectionable.

- qq. The sale of each residential lot shall include a deed containing the following language in bold type face:

NOTICE OF AIRPORT NOISE

This property is located in proximity to an airport noise zone. Residents will be subject to aircraft noise that may be objectionable.

Commercial Tract (Tract H)

- rr. Allowable uses shall be those listed in the Land Development Code as permitted and special exception uses in the C-1 district. Permitted uses shall also include gas stations and car washes.
- ss. Prohibited uses shall be as follows:

- adult entertainment establishments
- alcoholic beverage establishments
- automobile and boat sales and service
- communication towers
- multifamily housing
- outdoor advertising signs

tattoo parlors
pawn shops

- tt. Maximum floor area ratio (FAR) shall be 0.35.
- uu. FAR and open space requirements shall be met individually by Tracts F and G.
- vv. Setbacks and building heights shall be per C-1 standards.
- ww. Active-passive buffer standards shall be employed where Tracts F and G adjoin Tracts C and D.
- xx. Tracts F and G shall not have direct access to SR 415.

Business Park Tract (Tract I)

- yy. Site development standards per the C-1 zoning district shall apply, including but not limited to parking, landscaping, building height and performance standards.
- zz. Maximum floor area ratio (FAR) shall be 0.40.
- aaa. Allowable uses shall be as follows:
 - Office per OP district standards
 - Light industrial per M-1A standards
 - Commercial uses listed in the Land Development Code as permitted and special exception uses in the C-1 district, except communication towers shall be permitted by special exception only
- bbb. Prohibited uses shall be as follows:

adult entertainment establishments
alcoholic beverage establishments
automobile and boat sales and service
multifamily housing
outdoor advertising signs
tattoo parlors
pawn shops

All Tracts

- ccc. All development shall connect to central water and sewer service when such service becomes available.
- ddd. Public school facilities may be permitted with temporary septic systems pending the availability of sewer service. All other nonresidential development and all residential development exceeding 1 dwelling unit per gross acre shall connect to central water and sewer service prior to issuance of any certificate of occupancy.
- eee. Prior to final engineering approval, the developer shall obtain documentation from the City of Sanford that central water and sewer service are available for development requiring such service under the terms of this Development Order, or that such service will be available when the impacts of the development occur.

- fff. Development of the PUD shall be phased such that no more than 200 dwelling units are permitted or 2,000 vehicle trips per day are generated until such time as the 4-laning of SR 46 appears within the first 3 years of the adopted 5-Year Capital Improvements Plan. An increase in this limit may be authorized by the Planning Manager upon receipt of adequate technical information supporting such increase, and demonstrating that the net impact of this additional development on SR 46 does not exceed 2,000 vehicle trips per day.
- ggg. Any dwelling units constructed in addition to the 200 units permitted in Paragraph (fff), shall use Celery Ave. for access to and from the development.
- hhh. The Developer shall obtain concurrency approval for the PUD, or any phase thereof, prior to Final Master Plan approval.
- iii. Cameron Ave. shall remain a through road and shall be constructed to County standards between SR 46 and Celery Ave.
- jjj. Developer shall dedicate sufficient property to create 40-foot half rights-of-way for Cameron and Beardall Avenues.
- kkk. Turn lanes shall be provided at project entrances on SR 415 and SR 46.
- lll. Turn lanes shall be provided where subdivision entrances access Beardall Ave., and at the Beardall intersections of Celery Ave. and SR 46.
- mmm. The developer shall be financially responsible for any traffic lights warranted by the project.
- nnn. Prior to Final Master Plan approval, the developer shall re-evaluate the current basin study to verify the capacity of the downstream system to handle stormwater from the project.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

FILE # Z2004-059

DEVELOPMENT ORDER #4-23000009

Done and Ordered on the date first written above.

By: _____
Carlton D. Henley, Chairman
Board of County Commissioners

FILE # Z2004-059

DEVELOPMENT ORDER #4-23000009

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, American Land Development Inc., Robert Zlatkiss, President, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

ROBERT ZLATKISS
President, American Land Development Inc.

Witness

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Robert Zlatkiss, who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Garner J. Gehr, on behalf of himself and his heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

GARNER J. GEHR

Witness

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Garner J. Gehr, who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Kathleen A. Gehr, on behalf of herself and her heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

KATHLEEN A. GEHR

Witness

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Kathleen A. Gehr, who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Serop H. Manjikian, on behalf of himself and his heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

SEROP H. MANJIKIAN

Witness

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Serop H. Manjikian, who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Sona H. Manjikian, on behalf of herself and her heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

SONA H. MANJIKIAN

Witness

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Sona H. Manjikian, who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Carolyn P. Stenstrom, on behalf of herself and her heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

CAROLYN P. STENSTROM

Witness

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Carolyn P. Stenstrom, who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Charles L. Jett, on behalf of himself and his heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

CHARLES L. JETT

Witness

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Charles L. Jett, who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Mary E. Jett, on behalf of herself and her heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

MARY E. JETT

Witness

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary E. Jett, who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, John F. Russell, on behalf of himself and his heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

JOHN F. RUSSELL

Witness

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared John F. Russell, who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Jimye K. Russell, on behalf of himself and his heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

JIMYE K. RUSSELL

Witness

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Jimye K. Russell, who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Jerry W. Cullum, on behalf of himself and his heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness_____
JERRY W. CULLUM_____
Witness

STATE OF FLORIDA)

)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Jerry W. Cullum, who is personally known to me or who has produced _____ as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

PROJECT LEGAL DESCRIPTION

PARCEL 1 (AMERICAN LAND DEVELOPMENT)

33-19-31-300-0200-0000

The East 316 feet of the South half of the Southeast Quarter of the Northwest Quarter, Section 33, Township 19 South, Range 31 East, Seminole County, Florida. LESS the South 25 feet and the East 25 feet thereof.

33-19-31-501-0000-00A0

Lots A and 1 through 12, MERRIWETHER TERRACE, according to the Plat thereof, as recorded in Plat Book 9, Page 70, Public Records of Seminole County, Florida.

33-19-31-501-0000-0130

Lots 13 through 24, MERRIWETHER TERRACE, according to the Plat thereof, as recorded in Plat Book 9, Page 70, Public Records of Seminole County, Florida.

33-19-31-300-0210-0000

The South Half of the Southeast Quarter of the Northwest Quarter (LESS the East 600 feet) in Section 33, Township 19 South, Range 31 East, Seminole County, Florida. LESS the South 25 feet thereof.

PARCEL 2 (GEHR)

33-19-31-0550-0000

The Northwest 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida, less the North 25 feet for 26th Street.

33-19-31-0560-0000

The Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida, less the North 25 feet for 26th Street and less the East 25 feet for Beardall Avenue.

33-19-31-300-057B-0000

The East 300 feet of the North 1/2 of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

PARCEL 3 (MANJIKIAN)

33-19-31-300-0150-0000

The North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 33, Township 19 South, Range 31 East, less right-of-way for Beardall Avenue, Seminole County, Florida.

PARCEL 4 (STENSTROM LEGACY)

33-19-31-300-0220-0000

The South 605 feet of the Northwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

33-19-31-300-0360-0000

The East 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

33-19-31-300-0340-0000

The West 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

33-19-31-300-0350-0000

The Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

33-19-31-300-0420-0000

The Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

PARCEL 5 (STENSTROM)

33-19-31-510-0000-0010

33-19-31-510-0000-0110

Lots 1 through 15, inclusive, and Lots 17 and 19, (less right-of-way for State Road 46) of CAMERON'S SUBDIVISION OF BECK HAMMOCK, a subdivision, according to the plat thereof as recorded in Plat book 1, page 88 of the Public records of Seminole County, Florida

33-19-31-300-129A-0000

The North 3/4 of the West 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

33-19-31-300-0129-0000

The Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

33-19-31-300-004C-0000

The North 3/4 of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

AND

the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

33-19-31-300-004D-0000

The North 1/2 of the Northeast 1/4 of the Southeast 1/4 Southeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

33-19-31-300-004B-0000

The East 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 33, Township 19 South, Range 31 East, LESS the North 1/2 thereof, and LESS road right of way on all of the above, Seminole County, Florida

33-19-31-300-004F-0000

The South 330 feet of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida, less roads.

33-19-31-300-004A-0000

The Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

AND

The Northwest 1/4 of the Southeast 1/4, less the North 134.5 feet of the West 209 feet, and less roads, Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

PARCEL 6 (JETT)

34-19-31-300-003A-0000

The North 552.89 feet of the Southwest 1/4 of the Southwest 1/4 of Section 34, Township 19 South, Range 31 East, Seminole County, Florida, lying West of State Road 415.

PARCEL 7 (RUSSELL)

33-19-31-300-0230-0000

The West half of the Northeast Quarter of the Northwest Quarter. LESS the North 10 acres of the East three quarters of the West half of the Northeast Quarter of the Northwest Quarter, Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

33-19-31-300-0270-0000

The Northwest Quarter of the Northwest Quarter, LESS the West 1016.3 feet thereof, and LESS from a point 30 feet South and 1024.3 feet East of the Northwest corner of Section 33, run South 0°18'40" West 142 feet, thence North 89°47'30" East 142 feet, thence North 0°18'40" East 142 feet, thence South 89°47'30" West 142 feet to the Point of Beginning.

FILE # Z2004-059

DEVELOPMENT ORDER #4-23000009

PARCEL 8 (CULLUM)

33-19-31-300-0290-0000

Begin 215 feet North of the Southwest corner of the Northwest 1/4 of the Northwest 1/4, run North to Northwest corner, East 1016.3 feet, South 1064.88 feet, West 633.69 feet, South 22 feet, West 12 Feet, North to a point East of Beginning, West to Point of Beginning.

Containing 265.74 acres, more or less

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN DESCRIBED REAL PROPERTIES LOCATED IN UNINCORPORATED SEMINOLE COUNTY FROM A-1 (AGRICULTURE DISTRICT), M-1 (INDUSTRIAL DISTRICT), C-1 (RETAIL COMMERCIAL DISTRICT), AND C-2 (RETAIL COMMERCIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT DISTRICT); PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the document titled "Cameron Heights PUD Staff Report."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONING.

The zoning classification assigned to the following described property is changed from A-1 (Agriculture), M-1 (Industrial), C-1 (Retail Commercial), and C-2 (Retail Commercial) to PUD (Planned Unit Development) in accordance with the contents of the document titled "Cameron Heights Staff Report" and Development Order #04-23000009:

Legal Description Attached as Exhibit A

Section 3. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 4. EFFECTIVE DATE.

A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes. This Ordinance shall become effective upon the date of recording of Development Order #04-23000009 in the official land records of Seminole County.

ENACTED this 10th day of May, 2005.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

EXHIBIT "A"

LEGAL DESCRIPTION:

Legal Description

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33-19-31-501-0000-0130

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33-19-31-0550-0000

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33-19-31-0560-0000

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FILE # Z2004-059

33-19-31-300-057B-0000

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PARCEL 3 (MANJIKIAN)

33-19-31-300-0150-0000

The North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 33, Township 19 South, Range 31 East, less right-of-way for Beardall Avenue, Seminole County, Florida.

PARCEL 4 (STENSTROM LEGACY)

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33-19-31-300-0360-0000

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33-19-31-300-0340-0000

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33-19-31-300-0350-0000

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FILE # Z2004-059

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33-19-31-300-0129-0000

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33-19-31-300-004C-0000

The North 3/4 of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

AND

the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

33-19-31-300-004D-0000

The North 1/2 of the Northeast 1/4 of the Southeast 1/4 Southeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

33-19-31-300-004B-0000

The East 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 33, Township 19 South, Range 31 East, LESS the North 1/2 thereof, and LESS road right of way on all of the above, Seminole County, Florida

33-19-31-300-004F-0000

The South 330 feet of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida, less roads.

33-19-31-300-004A-0000

The Northwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

AND

The Northwest 1/4 of the Southeast 1/4, less the North 134.5 feet of the West 209 feet, and less roads, Section 33, Township 19 South, Range 31 East, Seminole County, Florida.

PARCEL 6 (JETT)

34-19-31-300-003A-0000

FILE # Z2004-059

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Begin 215 feet North of the Southwest corner of the Northwest 1/4 of the Northwest 1/4, run North to Northwest corner, East 1016.3 feet, South 1064.88 feet, West 633.69 feet, South 22 feet, West 12 Feet, North to a point East of Beginning, West to Point of Beginning.

Containing 265.74 acres, more or less

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/
PLANNING AND ZONING COMMISSION**

JANUARY 5, 2005

Members present: Richard Harris, Chris Dorworth, Dudley Bates, Walt Eismann, Beth Hattaway, Ben Tucker, and Matt Brown.

Also present: Matt West, Planning Manager; Tony Walter, Assistant Planning Manager; Earnest McDonald, Principal Coordinator; Rebecca Hammock, Principal Coordinator; Tina Deater, Senior Planner; Jeffrey Hopper, Senior Planner; April Boswell, Senior Planner; Jim Potter, Senior Engineer; and Candace Lindlaw-Hudson, Senior Staff Assistant.

G. Cameron Heights Planned Unit Development Large Scale Land Use Amendment and Rezone; Robert Zlatkiss / American Land Development, applicant; approximately 261 acres; Large Scale Land Use Amendment from SE (Suburban Estates), Low Density Residential (LDR), Industrial, and Commercial to PD (Planned Development); and Rezone from A-1 (Agriculture District), M-1 (Industrial District), C-1 (Retail Commercial District) and C-2 (Retail Commercial District) to PUD (Planned Unit Development District); located north of SR 46, south of Celery Ave., east of Sipes Ave. and west of SR 415; (Z2004-059 / 05S.FLU06).

Commissioner Carey – District 5
Jeffrey Hopper, Senior Planner

Mr. Hopper stated that the applicant is requesting a Large Scale Land Use Amendment from Suburban Estates, LDR, Industrial and Commercial to Planned Development (PD) and a Rezone from A-1, M-1, C-1 and C-2 to Planned Unit Development (PUD) on approximately 261 acres of land located in the Midway area, north of SR 46, west of SR 415, south of Celery Avenue, and east of Sipes Avenue.

The subject property is a collection of parcels in several different zoning districts and future land use designations which together have frontage on 4 major roads in the area. The site would have major entrances on SR 415 and Celery Ave., and secondary access from Beardall Avenue.

The proposal consists of:

- 227 acres of single family use at 4 units per acre,
- 15 acres of townhouse development at 10 units per acre
- 5 acres of retail commercial use

- a 14-acre business park which could include office, commercial, industrial, and/or multi family residential uses.

In a written discussion of the proposal, the applicant notes that the subject property is in the vicinity of Orlando Sanford International Airport, an area targeted for intense airport-related development through the Industrial and HIP future land use designations of the Vision 2020 Plan. The applicant contends that providing conveniently located housing is necessary in meeting Seminole County's land use goals in the area. And in fact, a 209-lot single family development has already been approved to the east of this site, across SR 415.

Staff generally supports the concept of housing in the airport area, provided public facilities are brought on line in a way that keeps pace with the needs generated by new development. Where provided, such housing should be built with special construction measures to mitigate sound disturbance to residents. It should be noted that the site includes 3 parcels fronting on Celery Ave. that were part of the Celery Ave. Study, which involved discussions with the City of Sanford about the appropriate density for residential development in the area. No agreement was reached, but proposals ranged from 2½ to 3 units per acre.

The proposed PUD would bring significant changes to the airport area. It would provide substantial amounts of new housing ranging from low density single family to townhouse and apartment housing types.

In addition, the proposal would provide a limited amount of retail commercial which would primarily serve residents of the development, reducing the need for such residents to travel outside the area for shopping.

The major issue Staff has is in the current capacity of SR 46, which is now operating at a Level of Service "F". The development of Cameron Heights should coincide with the widening of this road. However, 46 is not currently in the 5-year capital improvements schedule and therefore not programmed to be improved in the near future.

Therefore, Staff is recommending that the project be phased such that no more than 200 dwelling units or 2000 vehicle trips per day are generated until such time as the 4-laning of SR 46 is placed within the first 3 years of the 5-year Capital Improvements Plan.

Staff recommends approval subject to that condition and others listed in the staff report, including:

- Single family and townhouse development shall provide an active-passive buffer adjacent to industrial properties
- Cameron Avenue shall remain a through road and be constructed to County standards between SR 46 and Celery Ave.

- Visitor parking in the townhouse area shall require 1 visitor parking space per 3 units
- Allowable uses in the Commercial tract shall be C-1 uses
- Developer shall be responsible for any traffic signal improvements warranted by the project.

Mr. Hopper concluded his remarks with a further recommendation, which is not included in the staff report: to incorporate the Draft Celery Avenue development standards into the requirements for single family development on the 3 existing parcels adjacent to Celery Avenue.

School Board comments on this item were in opposition to the project. The project would generate a potential for 244 elementary school students, 112 middle school students, and 122 high school students. All schools have capacity deficits. It will have significant impact on schools.

Dwight Saathof, a partner of Mr. Zlatkiss, spoke for the applicant. He stated that the airport will be a major employer for Seminole County. Putting housing in for airport workers is a good idea. The East Lake Mary Boulevard extension will soon be completed, which attracted him to the project. It was a great task to assemble the land. This will be a gateway to the County. The water and sewer will come from the City of Sanford. The majority of the property is uplands. He agrees with the staff recommendation for approval. The concerns he has are the issues mentioned by Mr. Hopper. Traffic, roads and schools are all familiar to him. He has met with Dianne Kramer concerning the schools. He will work with the School Board.

Of the 261 acres, 200 of them are today Suburban Estates. The Industrial designated lands were made so because of a railroad in the area. Over 1500 acres have been converted to industrial from suburban estates in the past years.

Commissioner Bates asked for specifics on how the schools were to be handled. Where will the land come from for the schools?

Mr. Saathof said that he had not had time to react to the issue. He will provide sidewalks for the schools. He has time before the final adoption hearings.

Commissioner Bates asked if the development would place homes under the flight patterns of the airport.

Mr. Saathof stated that that will not conflict. The area is already residential. This is a well thought out plan. The impacts from this will be done over a 5 to 10 year period. It will give the agencies that deal with infrastructure time to anticipate the needs.

Commissioner Tucker asked to review the plan.

Mr. Saathof demonstrated on the map sections that include townhomes, single family houses, and commercial uses.

Commissioner Tucker asked if the applicant will agree to noise abatement in the houses. He did not want the taxpayers to pay for such items later.

Mr. Saathof said that he was not prepared to comment on that.

Commissioner Tucker noted for the record that he has represented the Russell family in business matters in the past, but not on this.

Public comment:

Ken McIntosh stated that he has attended 27 public meetings concerning property in this area. This is not Midway. It is to be a development of 2.5 units per acre, progressing to 4 units per acre.

The school matter was brought up in August of 2003. The University of Florida experiment station is on Celery Avenue. It is a site for another school in the area.

This configuration is an urban sprawl project. He has not heard from staff for 12 months concerning the Administrative Large Scale Land Use amendment in the area.

His concerns centered on density control, lack of good design, unresolved area drainage issues, road problems and traffic. Nothing has progressed in these areas.

The interlocal Joint Planning agreement has not been approved. He asked that the commissioners not recommend transmittal.

Robert Tomko of Beardall Avenue, stated that this plan puts residential next door to his industrial property where he has 30 to 40 "18 wheelers" going in and out every day. Traffic and flooding in the area are major concerns.

Nathaniel Hillery of East 21st Street stated that $\frac{3}{4}$ of the area is in Midway. He asked if any further properties will be added from Sipes Avenue to Brisson Avenue going east. What will this do to the taxes in the area?

John T. McGibbon opposed the land use change because it adds students to an already crowded school district. It was supposed to be low-impact housing.

Cindi Meriwether of E. Celery Avenue was opposed to the project. Her land is agricultural and is an active farm. This is not compatible with her land. She is concerned with barriers.

Russ Gibson of the City of Sanford said that to get city utilities requires petition for annexation. There are also implications for the Joint Planning Agreement on Celery Avenue. The City Commission has adopted a JPA concerning the Celery corridor. The BCC has not responded. The County should similarly consider the JPA with this. The City and County have not had an opportunity to address all of the issues on this. He said that this is a good opportunity with the assemblage of properties; it is better than a piecemeal development.

Commissioner Tucker asked why the Joint Agreement has not progressed.

Mr. West stated that things were left off with the BCC having only 4 voting members, since one commissioner owned land there. He did not vote. Votes were 2 to 2. The cap of the density from the Agriculture station east to Cameron Avenue was to be at 3 units per acre. Some Commissioners wanted 2 to 2.5 units per acre. It has been 4 years. The other issue was when Celery Avenue would be transferred to Sanford.

Mr. Gibson agreed. The issue has not been scheduled for the BCC to hear it. He will continue to work with the County on this.

Robert Rosemond of Indian Mound Village requested denial.

The applicant response from Dwight Saathof was one of cooperation with the area citizens and staff. He said it will not be urban sprawl. The roads will be improved, utilities will be brought in, schools will be worked out. The difference in the schools is manageable. Take into consideration the 1550 units that were taken away from the mix previously with other rezonings. He is not aware of drainage problems, but they will work with drainage to the letter of the law. He has no plan to add any further land to the development. Everything to the south and west is developed. The nearness to unfenced agricultural would generate the need to put in fencing. Details can be worked out.

Mr. Harris mentioned Mr. Tomko's concern for the trucks in the area.

Mr. Saathof said that Beardall Avenue was a small road that is already zoned for residential land use.

Mr. Hopper stated that staff recommendation included the use of sound attenuation blankets, as with Sterling Meadows subdivision.

Commissioner Tucker said that this is a checkerboard, and the higher level of density will be worked toward inevitably. There are too many areas on the map not included in the project. We don't have enough information. He cannot vote to recommend approval.

Commissioner Brown asked what the density of the yellow areas is.

Matt West said that the density may be above 4 because parts of Midway are more dense than the land use indicates. The Suburban Estates area may be less than 1 per acre.

Commissioner Tucker said that there will be 5 new schools coming in. This would have to be factored in. He cannot vote for this as it is.

Commissioner Bates pointed to the drainage issues and the absence of a JPA on the area. To bring a development of this impact into this area is troubling. Increasing impacts on stormwater management in the area and to the schools in the area is woeful. The lack of stormwater drainage management is a serious problem because of cost. People come in and complain about impacts of new development on their land. He is not prepared to vote for this at this point.

Commissioner Harris stated that the applicant has a reputation for quality work. To make a decision of a parcel of this size, with less than 20 acres going to commercial use, the following items should have been addressed: schools, airport issues and noise issues, traffic and densities around the airport. There are too many unresolved issues here.

Commissioner Harris passed the gavel to Commissioner Dorworth.

Commissioner Harris made a motion to recommend denial of the request.

Commissioner Bates seconded the motion.

The vote was 7 – 0 in favor of the motion.

to the homeowners association. He is asking for the continuance to put all this together. He was thinking of continuing to March 22, but if delaying him to the Fall cycle does not put more of a financial obligation on him, he would not object to that.

Mr. Fisher advised that March 22 would be too late for this cycle. He said there would be no new application fee, but there might be a nominal advertising fee.

Mr. Conley explained the confusion of the two letters sent to staff.

Districts 1, 2, 3, 4 and 5 voted AYE.

**LARGE SCALE LAND USE AMENDMENT
AND REZONE, CAMERON HEIGHTS
PUD/ROBERT ZLATKISS**

—
Proof of publication, as shown on page _____, calling for a public hearing to consider approval to transmit the request for the Cameron Heights PUD Large Scale Land Use Amendment from Suburban Estates (SE), Low Density Residential (LDR), Industrial and Commercial to Planned Development (PD); and Rezone from Agriculture (A-1), Industrial (M-1), Retail Commercial (C-1) and Retail Commercial (C-2) to Planned Unit Development (PUD), Robert Zlatkiss, received and filed.

Jeff Hopper, Senior Planner, presented the request. He advised the site plan and development concept have changed since the staff report was written and that information was provided to the Board today (copy of memorandum to the Board dated February 8, 2005 from Matt West was received and filed). He reviewed the details of the memorandum. He stated one issue the staff raised is the need for special construction standards for homes to reduce the impacts of airport noise on the residents. He said the entire site is outside

the contour of the area normally unacceptable for residential development around the airport. Noise is a concern because the airport is so close, and staff is recommending that sound attenuation blankets be included in all homes built south of the line extending east from the end of Hughey Street. In addition, staff has concern for the capacity of SR 46, which is now operating at Level of Service F. The development of Cameron Heights should coincide with the widening of this road; however SR 46 is not currently in the five-year capital improvements schedule and, therefore, is not programmed to be improved in the near future. Therefore, staff is recommending that the project be phased so that no more than 200 dwelling units are built, or the equivalent of 2,000 vehicle trips per day are generated, until such the time as four-laning of SR 46 appears within the first three years of the five-year Capital Improvements Plan. Staff is recommending transmittal, subject to that condition, and others listed, including the following: (1) Single family and townhouse development shall provide an active buffer adjacent to industrial properties; (2) Visitor parking in the townhouse area shall require one visitor parking space per three units; (3) Allowable uses in the commercial tract shall be C-1 uses; and (4) The developer shall be responsible for any traffic signal improvements warranted by the project. Mr. Hopper advised that since the approval conditions in the staff report are based on the previous version of the plan, staff recommends that these be updated to reflect in the new plan regarding the densities, minimum lot sizes, minimum unit sizes, and setbacks contained in the memorandum dated February 8, 2005 to the Board from Mr. West.

Mr. West clarified that SR 46 is scheduled for PD&E design in

the five-year plan, but not scheduled for construction.

Chairman Henley had a question on the number of apartments. Commissioner Morris stated his understanding was that there would be no apartments on this site.

Tom Daly, Daly Design Group, 913 Pennsylvania Avenue, addressed the Board on behalf of American Land Development. He introduced Dwight Sadoff and Charlie Madden, Project Engineer. He showed a map (copy in the staff report) of the area and identified the roads, Midway, Sanford, new developments in the area, Indian Mound Village, and Sanford Trail Estates, stating the total area is about 800 acres and this project is about 260 acres. He advised construction is expected next month for the extension of Lake Mary Boulevard into this area. This will be a huge improvement to the traffic situation. He said there are two drainage ditches that run east and west across the site that drain underneath SR 415 out to the St. Johns River, and there are some ditches going north. None of the site is within the 100 year flood plain. They have done the environmental analysis and there are two wetlands on the property. There are also two eagle nests adjacent to the project, next to White Construction and next to Cameron. He advised they have already begun talks with the Fish and Wildlife Agency to meet the standards currently in place. He reviewed the economic impact based on the Sanford-Orlando Airport Master Plan Study. He said they are proposing something to blend in with the airport. As it stands now, the City of Sanford is planning to expand into this area.

Mr. Daly showed the Future Land Use Map (copy in the staff report) depicting the HIP Future Land Use areas. He stated that based on his knowledge in talking with FDOT, SR 415 is under design

today and will be under construction in 2009. SR 46 is currently being done as an environmental study and design is scheduled to start in 2006. Mr. Daly discussed the existing future land use. He noted that their property is over four miles within the urban rural line and currently in the area that the County has designated for urban development. He further showed on a map the different businesses/sites in the area and said there is already a lot of development that has taken place in this area. He said this is a mixed use project. They had put in the business park and multi-family because Cameron will not be opened up and they might want to do condominiums. However, he said they are taking that off the table tonight. He stated they have transitioned the densities of land uses to recognize the current trends with the parcel fronting on Celery Avenue to be 2 to 2.5 units per acre; going south will be 3.5 units per acre; and further south to the industrial and higher densities in Midway will be 4 units per acre; and the buffer between some of the existing industrial and business park uses will be townhomes. The current application is for 1,095 units; 70% is single family with 30% as townhomes. Mr. Daly advised they have designated two sites--for an elementary school and a middle school. They have come to terms with the School Board and are working towards selling this property to the School Board to alleviate some of the concerns with the site the School Board had been looking at. He pointed out another commercial parcel in the NW corner of SR 415 and SR 46 that is expected to be used for a grocery store at some point. He said they expect to buffer all proposed residential from any existing industrial or commercial land. He reviewed the lot sizes and advised of their upgrades to the square footages for each lot size

(information given in the memorandum submitted). He further committed to 1,100 square feet for the townhomes. He stated they have agreed to hold the property to the Celery Avenue standards in the area. He reported that the traffic study shows this development will have less traffic. He also reported on the neighborhood meeting held on January 3, 2005 with some key individuals who had concerns with drainage, the eagles' nests, schools, and the airport. He showed a map of the noise contours (not received and filed) and pointed out this project is outside the noise contours. He said the Airport Board asked them and they executed an aviation agreement and easement which protects the Airport from any future legal action that might be brought against them by any homeowner. He advised the Board that they recognize there are things in the staff report that they will have to work on when the project comes back for adoption. He noted the property is approximately four miles within the urban rural boundary, so there is no issue of pushing out urban development or doing any sprawl development. They are near a major employment center that will generate over 111,000 jobs in the planning period, and there needs to be residential development nearby so people can live near their jobs and have commercial opportunities for neighborhood shopping.

Dr. Vogel, Superintendent of Schools, addressed the Board to state during the last two weeks they have had conversations with Mr. Sadoff and the County staff, and the School Board has tentatively agreed to purchase two adjoining sites (pending the County's approval of the development for impact fee credits). He identified the sites on a map extending from Hughey over to Beardall and said the elementary site would replace the site they have been considering for

the past months. He discussed plans to start construction of the elementary site almost immediately and the middle school site would be used in the future.

Upon inquiry by Chairman Henley, Dr. Vogel said the elementary school would be a replacement for the Midway Elementary School. He also said the new site would accommodate about 800 students. He expects the new development would generate approximately 226 students so that would still give additional space for growth. He said he had not considered the impact of the area projects already approved, but not out of the ground yet. Whereupon, Chairman Henley said the new school might already be over capacity.

Paul Partyka, 934 Contravest Lane, addressed the Board on behalf of his client Ira Majakian (phonetic) who owns property on Beardall to state Mr. Majakian sent a letter (not received and filed) to the BCC outlining his points. Mr. Majakian thinks this is a positive improvement for the area and he is totally in favor of the project.

Doug Doudney, President of the Coalition for Property Rights, addressed the Board to state he thinks what they are dealing with tonight is a question of reasonable use of the land. He gave some history of the subject property. He said it seems now that the nature of the land is residential and it is clear that the area is intensifying. He believes the applicants have applied for reasonable use of the land. He said remember that the role of government is not to protect the citizenry from change but to protect reasonable use rights for all land owners.

Carol Saviak, 924 Bungalow Avenue, Executive Director representing the Coalition for Property Rights, addressed the Board to state the applicant is a property owner who they believe is

seeking to exercise his property rights. She said the intended project may change, but it does not tangibly harm the area property values. Change is not always welcomed, but the property owner has a right to realize his dreams. She said this is a reasonable use of this property.

Jim Gehr, 39620 Beba Road, addressed the Board to state he is very pleased with the design the applicant has come up with.

Archie Smith, 1375 Cameron Avenue, addressed the Board to state he believes people have a right to sell their property and a right to develop it. He said there is no comparison to how good the drainage is now on Celery Avenue compared to what it was three or four years ago. The County has done a lot of work in the Indian Mound area and greatly improved things. He said he is for a planned community and likes that better than a hodge-podge situation that is not conducive. He is for this project and the people who own the land that wish this to be for their retirement.

Larry Dale, 3400 Celery Avenue, speaking personally as a property owner, addressed the Board to state he bought in the area with the full understanding that this is a designated urban service area. The thing that disturbs him and his family the most is that this is M-1 zoning and can develop in a hodge-podge fashion. They are pleased to see this mixed use that buffers from their property. They are pleased to see that the applicant will make this a quality development, especially on the Celery Avenue parcel. He is pleased that someone has come along with such a large plan that can address schools, traffic, growth, drainage, and bring upscale development to Sanford and Seminole County.

Bill Miller, 147 Variety Tree Circle, Chairman of the Sanford

Airport Authority, addressed the Board to state at the Authority Board meeting last week, they had a report on this project and their Board took action. He asked Mr. Dale, CEO, to advise the Board of the action taken at that time.

Mr. Dale advised that the State has speeded up the process of four-laning SR 46 and the Airport Authority has voted to donate the right-of-way along a two-mile stretch on the south side. This is in the Year 2006-2007 for design. He referred to the map of the noise contours and said the Airport has no objection to the development as long as there is an avigation easement. Both developers have agreed to that and they will provide that avigation easement to the County Attorney. He requested that such easement be incorporated into the development order for this project. He understands there must be some mixed uses around the airport, and as long as the criteria established by the County, City, and Airport with the Joint Planning Committee are adhered to, they will support the project.

John Russell, 950 Powhatan Drive, addressed the Board to state he has lived in the Celery Avenue area for over 30 years and now live in Indian Mound Village. During this time, there have been few changes or improvements to Celery Avenue and surrounding area. The roads in this area have been narrow with poor drainage for years. Just recently, he has seen improvements to Celery Avenue that were made because of the Celery Keys and Celery Lakes developments. The proposed development will bring change to Celery Avenue, and not all change is bad. There will be better roads and drainage because developers will be required to upgrade. He said there will be landscaping where there never has been and there will be new schools, among any other improvements. He thinks Cameron Heights will be good

for the area and community.

Jimye Russell, 950 Powhatan Drive, addressed the Board to state rather than have many developments occur without a plan of the overall image, she thinks it is better to work with this developer who has a far-sighted plan that will give a unified look as Celery Avenue develops. She said she is in favor of the project.

Carl Paulson, 3779 Celery Avenue, addressed the Board to state he is for the development.

Ken McIntosh, 951 Powhatan Drive, addressed the Board to state all of them who oppose the Cameron Heights project are not in blind opposition to growth and development of their area. They realize change will occur in this area, but they are opposed to that which is categorized as blind, poorly planned growth and unfettered progress here and elsewhere in the County. He responded to comments by previous speakers, stating this area has not evolved into a residential district as has been depicted tonight. He said retirees and new families are not going to be the individuals that utilize these facilities at this project. He said there has been no major drainage improvement on Celery Avenue from Mellonville Avenue to SR 415 other than the small efforts made at Celery Keys and Celery Lakes. He advised the joint planning agreement between the County and City of Sanford has expired. He also said the PD&E has not been funded and there is no possibility that it will be funded according to his communication with the Department of Transportation. He asked the Board to affirm the decision of the Land Planning Agency and Planning and Zoning Commission on January 5, 2005, to oppose the Cameron Heights Large Scale Comp Plan Amendment and Rezoning. He said the matters that appear to be possible solutions to the problems

have just come out in the last few days. The proper thing to do is as suggested by Roger Neiswender, Neiswender and Associates, in his report (received and filed) that the proposed amendment should not be approved for transmittal or adoption because it has not demonstrated a logical land use plan for the Celery Avenue/SR 46 area and has not offered proposals or conceptual plans for the provision of supporting infrastructure of sufficient capacity, proper timing, and form to support urban, residential, business, commercial, or industrial uses. Mr. McIntosh said they feel a sector plan is appropriate in this connection and that is a matter that should be pressed forward in conjunction with the Celery Avenue/Cameron Avenue/SR 415 Corridor. He reviewed the concerns of the citizens (information packet received and filed) in opposition to this project.

Roger Grimshaw, 4071 Chickasaw Drive, addressed the Board to show slides (not received and filed) and speak about the wildlife in the area. He stated he has observed 144 bird species in this area, two currently listed as endangered; four species listed as threatened; and seven species are of special concern. He showed four pictures (not received and filed) of birds found in or very close to the subject area. He stated birds and other wildlife will not survive if the habitat is destroyed. Wildlife is a valuable asset and he hopes the Board will make the right decision taking that into consideration.

Marguerite Terwilleger, 4020 Chickasaw Drive, addressed the Board to state it is a duty and obligation to create an atmosphere of understanding on both sides of the table. She was very concerned when she heard yesterday that some individuals heard that this was a done deal. She said the citizens have elected the Commissioners to

consider the matter with all voices present. She suggested painting a picture they can all live with and pass down to future generations. She feels the plan tonight is the wrong plan. She asked the Board not to give up because of wanting this to be over.

Robert Jasmin, 1153 Myrtle Street, on behalf of the North Lake Jesup Civic League, addressed the Board to state with a project of this magnitude, and without a concrete joint planning agreement, he doesn't know how the Board can go forward. That is, how can they go forward without knowing where all the funding is going to come from for the improvements. Secondly, he said the Board spent \$277,000 in two and a half years putting the Myrtle Street Urban Conservation Village together. Just recently they said that concept could be the answer to some of the other problems. He said maybe they can incorporate that in the Cameron Heights area. Also, he asked what is the Board going to do about Midway. He asked if they are going to revitalize, then don't they think Midway ought to be brought into the equation.

Bonnie Wills, 1683 Beardall Avenue, representing T & W Realty, addressed the Board to state she owns property at 1683 Beardall Avenue that is an industrial complex. When they bought the property, they were assured it would remain industrial property. They have over 100 people employed now and have four more acres for development. She said about 20 or 30 trucks a day come in and out of their complex. She stated she has given the Board a copy (packet received and filed) of what happens on their street, which is 18 feet wide. They have to pull truck after truck out of the ditches because the road is so narrow. They feel it is an unsafe situation for a school or house to be put right in back of them. In addition to

those trucks, she has counted 37 other trucks coming out today. This is a high traffic industrial area. She said this area should be set aside for industrial development. Further, she said they have had a real problem with drainage. There is flooding continuously along with alligators that come up to the property fences. She advised they have a large water tower on their property and even today they had to cut back because they don't have enough water pressure for the area.

Robert Tomko, 1683 Beardall Avenue, addressed the Board to state he would like to hear the developer comment on what they are going to do with Beardall Avenue; who is going to pay for widening of that street. He asked how will they handle the sewage and drainage. He said school buildings behind an industrial complex do not make a lot of sense.

Beth Schulman, 921 Powhatan Drive, addressed the Board to state one issue not discussed in the presentation by the developer was net buildable or total gross acreage. That was not brought across clearly and also the issue regarding Cameron Avenue. She said the developer basically disclaimed Cameron saying the property does not touch Cameron. She said she sits at Cameron at least 10 minutes every day to get onto SR 46. There has been no consideration regarding how the traffic is going to move through to the new developments. That needs to be addressed and also consideration given to Sipes Avenue and Beardall Avenue. Regarding the school sites, she said there have not been any studies about how Celery Keys and Celery Lakes will affect the schools. She said there is no lighting or sidewalks on Celery Avenue. She asked what are they going to do with all these kids. She stated it seems they are moving

fast on issues that have not been discussed thoroughly. She added they need a JPA with the City of Sanford.

Fred Schulman, 921 Powhatan Drive, stated his thoughts have been expressed already.

Kristi Lommerse, 535 Upsala Road, addressed the Board to state she has concerns with the following: (1) the impact on traffic and will the increase create problems for her grandfather driving his farm equipment on the road; (2) people and children getting into their groves; (3) their 21 artesian wells are subject to saltwater intrusion with the increased demands for fresh water; (4) any drainage interruptions to the St. Johns River could cause surface water accumulation on their crops; and (5) safety--they have dangerous farm equipment, use chemicals, and have 21 open artesian wells. All these could cause potential problems if anyone gets into their groves or farm area. She said they intend to maintain their agricultural operation which has been in place for about 98 years.

Laura Vaillemot (phonetic), 2200 Celery Avenue, addressed the Board to state they have some major problems. She said her property on three sides has been enveloped by Celery Keys. The water is no longer in the roads, but on her property and the neighbors who own the homes. It is higher than ever and the septic tanks have more water than ever on their property. There has been one accident since the road widening, and she has seen two deaths in eight years because of the road. She said the Board needs to plan. They have beautiful homes and farms on the roadway. They wanted sidewalks to go up to their houses, but that was not approved. She said the Commissioners need to walk those (new development) properties; there are more than two children in each family. She has called the School Board because

a child was almost hit by a vehicle. She doesn't think Celery Avenue is ready for this type of development at this time.

Pastor Michael Price, New Bethel A.M.E. Church, 3615 Main Street, addressed the Board to state he is not against development and understands that it happens. He is appalled that they are talking about developing areas and making things pleasing for future residents when he pastors in the area with residents now who live in misery with no sidewalks, no proper drainage, not enough proper signs, and streets that are unpaved. He is appalled because what he is hearing tonight is simply urban development lining the pockets of a few and unconcern for those who often cannot speak for themselves. The County will invest into future residents when they have not taken care of the residents for years. It is his belief that it is their responsibility and moral obligation as County Commissioners to take care of the problems in Midway before they develop a new area.

Chairman Henley advised the County has spent over \$6 million dollars in the last two years to take care of those particular problems Mr. Price talked about and also spent half a million dollars putting in a Community Center.

Tracey L. Cashe addressed the Board to state the residents are glad they received the roads before their departure from this earth, but they still have not been given what was promised to them. They have heard talk about the birds and what this project will do to the birds. He told what happened when he was born and said now everything is jumping and nothing has been done for the Midway area. He said he hopes some consideration will be given to Midway.

Attorney Dwight Sadoff, 255 S. Orange Avenue, addressed the Board to respond to the comments made by the speakers.

No one else spoke in support or in opposition.

Speaker Request and Written Comment Forms were received and filed.

Upon inquiry by Commissioner Morris, Mr. Sadoff advised the townhouses will probably sell in the \$160,000 range and the single family would sell in the \$200,000 to \$250,000 range.

Chairman Henley advised this hearing is not for approval of the proposal but it is for transmittal. If the Board approves this transmittal, they will receive comments from DCA and this will have to come back before the Board.

Commissioner Morris stated he was shocked with the densities Sanford allowed. He believes and knows that Sanford will annex along SR 46 and Celery Avenue as far as they can. They have seen where Sanford has the higher densities. Sanford will allow the high densities and have lower-priced homes. He is disappointed that a planning agreement has not been reached. He said the developer has met the objectives with the density at 2.5 and are down to a maximum of four as you go south. The developer has reached an agreement with the school system and has gone way beyond what the County has asked them to do. He said the alternative to this project is far, far worse.

Upon inquiry by Commissioner Van Der Weide, Mr. Fisher advised the last discussion regarding the JPA was left with 2.5 units per acre along Celery Avenue and who would accept maintenance of Celery Avenue. The discussion never went anywhere. He has had a quick discussion with the new District Commissioner and he plans on bringing her up to speed to begin those discussions again. Mr. Fisher said he doesn't think the JPA necessarily plays in this

project. He added he feels this is an opportunity to get the kinds of densities the Board was talking about before and not necessarily have to deal with the JPA at this time.

Commissioner Van Der Weide asked what is the plan for solving some of the major problems. Mr. Fisher advised the public is not paying for the infrastructure, the developer is doing that. There are two regional stormwater ponds going in. They talked about the road capacity and the process has begun on making intersection improvements. They have had committee meetings monthly with the folks in the Midway area.

Chairman Henley said it concerns him because one of the biggest disagreements they have had with Sanford is at what point is Celery Avenue going to be transferred to the City of Sanford. He said this project is going to make it possible for all of this to be annexed into Sanford and the City can still take no responsibility for upgrading Celery Avenue.

Chairman Henley stated Mr. Newisender (in his report) made several good points. This whole area needs to be planned out as an entire section rather than piece-mealed as it has been done. That is an area, he believes, they need to go back to the table and try to get it jointly planned for the entire section.

Upon inquiry by District Commissioner Carey, Mr. Fisher explained the process when concurrence comes into play.

Mr. Fisher advised Commissioner Dallari that this is probably one of the better development approaches in this area. He concurred with Commissioner Morris that the infrastructure needs to be planned in a three-year time frame for the project to continue.

District Commissioner Carey stated knowing what some of the

roadway plans are for this area, obviously the gateway for Seminole County in that portion of town is about to be expanded; and they need to plan for what that area is going to look like. She sees an opportunity to plan rather than piece-meal. She applauded Mr. McIntosh on his dedication to keep things on point. In reviewing the Celery Avenue overlay documents, the Board asked the developer to honor what has been negotiated in good faith among the citizens, the City and County, even though the JPA has never been signed. The developer did agree to that and the 2.5 unites per acre density. In talking to the School Board, she thinks they have to start the communications process with the development community, School Board, City, and County. She encouraged the developer to talk to Dr. Vogel and they have come up with an idea of combining two schools on one site. As far as the airport, the developer has agreed that the properties to the south would have sound attenuation so there would not be a problem. There are some opportunities that would not exist if this were not a planned development. Based on the lot sizes, she thinks the developer has stepped up to the plate. Another benefit of the project is reducing the number of trips. She thinks this helps the Midway area. She said she has heard the issues of Midway and is working on a community center and doing a lot of things in that area. She thinks planned development is a stronger plan to move an area forward.

Motion by Commissioner Carey, seconded by Commissioner Morris, to transmit the request for the Cameron Heights PUD Large Scale Land Use Amendment from Suburban Estates (SE), Low Density Residential (LDR), Industrial, and Commercial to Planned Development (PD); and to continue the rezoning from Agriculture (A-1), Industrial (M-1),

Retail Commercial (C-1) and Retail Commercial (C-2) to Planned Unit Development (PUD), as described in the proof of publication, Robert Zlatkiss, with the staff report comments and commitments made tonight, with excluding the apartments portion from the site plan, and with all the conditions (58) staff identified to be a part of the development order.

Under discussion, Chairman Henley stated when he met with Mr. Sadoff and Mr. Daly about the proposal, he agrees they have made a lot of concessions to improve the process. They are setting a trend with this development for everything else in the area. He doesn't know if he is ready to commit to that yet. This is for transmittal and there will be another opportunity to review this and get more details as it comes back before the Board. He said the present configuration bothers him considerably.

Commissioner Van Der Weide said he agrees with the Chairman. If they approve this, they are simply transmitting it. He wants the developer to know that in a few cases, the amendments come back without comments from DCA and the Board still disapproved them, so there is risk involved.

Districts 1, 2, 3, 4 and 5 voted AYE.

Chairman Henley recessed the meeting at 9:50 p.m. and reconvened it at 10:05 p.m.

**FLORENCE ARBOR PUD LARGE SCALE LAND USE
AMENDMENT AND REZONE/JUSTIN PELLONI, Continued**

Proof of publication, as shown on page _____, calling for a public hearing (continued from December 14, 2004) to consider approving the proposed map amendment from Office to PD (Planned